

HB 2130 S  
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FILED

2007 MAR 23 PM 3: 26

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2007



# ENROLLED

## House Bill No. 2130

(By Delegate Swartzmiller)



Passed March 10, 2007

In Effect Ninety Days from Passage

ENROLLED

2007 MAR 23 PM 3:26

H. B. 2130  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

(BY DELEGATE SWARTZMILLER)

[Passed March 10, 2007; in effect ninety days from passage.]

AN ACT to amend and reenact §7-14D-14 of the Code of West Virginia, 1931, as amended, relating to eliminating any reduction in the benefit of a deputy sheriff who is totally disabled on the job.

*Be it enacted by the Legislature of West Virginia:*

That §7-14D-14 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 14D. CIVIL SERVICE FOR DEPUTY SHERIFFS.**

**§7-14D-14. Awards and benefits for disability -- Duty related.**

1 Any member who after the effective date of this article  
2 and during covered employment: (A) Has been or becomes  
3 either totally or partially disabled by injury, illness or disease;  
4 and (B) the disability is a result of an occupational risk or  
5 hazard inherent in or peculiar to the services required of  
6 members; or (C) the disability was incurred while performing  
7 law-enforcement functions during either scheduled work  
8 hours or at any other time; and (D) in the opinion of the  
9 board, the member is by reason of the disability unable to

10 perform adequately the duties required of a deputy sheriff, is  
11 entitled to receive and shall be paid from the fund in monthly  
12 installments during the lifetime of the member, or if sooner,  
13 until the member attains normal retirement age or until the  
14 disability sooner terminates, the compensation under either  
15 subdivision (a) or (b) of this section.

16 (a) If the member is totally disabled, the member shall  
17 receive ninety percent of his or her average full monthly  
18 compensation for the twelve-month contributory period  
19 preceding the member's disability award, or the shorter  
20 period if the member has not worked twelve months.

21 (b) If the member is partially disabled, the member shall  
22 receive forty-five percent of his or her average full monthly  
23 compensation for the twelve-month contributory period  
24 preceding the member's disability award, or the shorter  
25 period if the member has not worked twelve months.

26 If the member remains partially disabled until attaining  
27 sixty years of age, the member shall then receive the  
28 retirement benefit provided in sections eleven and twelve of  
29 this article.

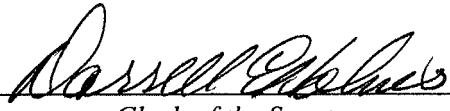
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

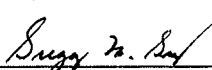
  
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Chairman Senate Committee

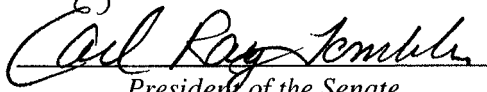
  
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Chairman House Committee

Originating in the House.

In effect ninety days from passage.

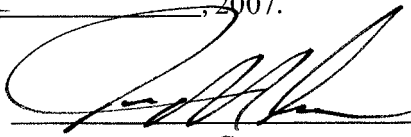
  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker of the House of Delegates

The within is approved this the 23rd  
day of March, 2007.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 18 2007

Time 2:01 pm