WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2012

ENROLLED

House Bill No. 4654

(By Delegates Morgan and Stephens)

Passed March 7, 2012

To Take Effect From Passage
AN ACT to amend and reenact §5-10D-6 of the Code of West Virginia, 1931, as amended, relating to voluntary deductions by the Consolidated Public Retirement Board from monthly benefits to pay retiree association dues; establishing the date when the increased dues will be deducted; requiring prior authorization of the increased deductions by the retirants; adding requirement of board provision of blind mailing services for retiree associations; providing that the board is not liable for the provision of services; establishing a termination date of July 1, 2022.

Be it enacted by the Legislature of West Virginia:

That §5-10D-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 10D. CONSOLIDATED PUBLIC RETIREMENT BOARD.

§5-10D-6. Voluntary deductions by the Consolidated Public Retirement Board from monthly benefits to retirees to pay association dues.

1 (a) Any recipient of monthly retirement benefits from any public retirement plan in this state may authorize that a
3 deduction from his or her monthly benefits be made for the
4 payment of membership dues or fees to a retiree association.
5 The deductions shall be authorized on a form provided by the
6 Consolidated Public Retirement Board and shall include: (1)
7 The identity and social security number of the retiree; (2) the
8 amount and frequency of the deduction; (3) the identity and
9 address of the association to which the dues or fees shall be
10 paid; and (4) the signature of the retiree.

(b) Any retiree association authorized by recipients of
11 monthly benefits from any public retirement plan in this state to
12 receive dues or fees from deductions from retirants' monthly
13 benefits may notify the board of its monthly dues on a form
14 provided by the board: Provided, That no increase in dues or
15 fees will be deducted from any retirant's monthly benefit until
16 the retirant has completed an authorization form containing the
17 information in subsection (a) and submitted this authorization to
18 the board. The increased monthly retiree association dues or
19 fees will be deducted commencing the month following the
20 receipt of the authorization form to the board.

(c) Upon execution of the authorization and its receipt by the
21 Consolidated Public Retirement Board, the deduction shall be
22 made in the manner specified on the form and remitted to the
23 designated association on the tenth day of each month:
24 Provided, That the deduction may not be made more
25 frequently than monthly.

(d) Deduction authorizations may be revoked at any time
26 at least thirty days prior to the date on which the deduction is
27 regularly made and on a form to be provided by the
28 Consolidated Public Retirement Board.

(e) Notwithstanding the provisions of section twenty-one,
29 article eight, chapter five-a of this code to the contrary, a
30 retiree association representing only West Virginia public
retirees may request the board to mail voluntary membership applications and dues deduction cards to any eligible retirees of any West Virginia public retirement plan administered by the board: Provided, That the retiree association shall pay all costs associated with these mailings, including but not limited to copying, mailing, postage, record-keeping and auditing: Provided, however, That the board may contract with a third-party to provide mailing services that agrees to maintain the confidentiality of the names, addresses and other personally identifiable information of the retirants.

(f) The board is not liable to any retirant, beneficiary or other annuitant for any action undertaken pursuant to this section. Any retiree association agrees, by requesting the board to deduct dues or fees or to provide mailings for it, to be responsible for any errors or omissions by the board in conducting these activities pursuant to this section.

(g) If any retiree association fails to timely pay to the board all costs required by this section, the board is authorized to thereafter refuse to provide the services in subsection (e).

(h) The provisions of this section shall expire July 1, 2022.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

To take effect from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within bill approved this the 14th day of March, 2012.

Governor
PRESENTED TO THE GOVERNOR

MAR 10 2012

Time 9:24 am