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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1993

— ● —

ENROLLED

HOUSE BILL No. 2568

(By Delegates *Browning, Pruzio, Campbell,
Lindsey, Smith, Ashley and Wallace*)

— ● —

Passed *April 10* 1993

In Effect *From* Passage

ENROLLED
H. B. 2568

(By DELEGATES BROWNING, PREZIOSO, CAMPBELL, LINDSEY,
SMITH, ASHLEY AND WALLACE)

[Passed April 10, 1993; in effect from passage.]

AN ACT to amend and reenact sections twenty-two-b and twenty-two-d, article ten, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, providing for payment of supplemental benefits from the public employees retirement fund.

Be it enacted by the Legislature of West Virginia:

That sections twenty-two-b and twenty-two-d, article ten, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 10. WEST VIRGINIA PUBLIC EMPLOYEES RETIREMENT ACT.

§5-10-22b. Supplemental benefits for certain annuitants.

1 Any annuitant who is receiving a retirement annuity
2 of less than seven thousand five hundred dollars
3 annually shall receive, upon application, a supplemental
4 benefit, prospectively, under this section from the public
5 employees retirement fund: *Provided*, That the effective
6 date of retirement for such annuitant was prior to the
7 first day of July, one thousand nine hundred seventy-
8 nine, and he had ten years or more of credited service
9 at the time of such retirement. For the purposes of this
10 section, "effective date of retirement" means the last day
11 of actual employment, or the last day carried on the

12 payroll of the employer, whichever is later, together
13 with a meeting fully of all eligibility requirements for
14 retirement prior to the aforesaid effective date. Any
15 annuitant retired pursuant to the disability provisions
16 of this article shall be considered to have had ten years
17 or more credited service at the time of such retirement.

18 Each such annuitant shall receive as his supplemental
19 benefit an increased annual amount which is the
20 product of the sum of eighteen dollars multiplied by his
21 years of credited service: *Provided*, That the total
22 annuity of any annuitant affected by the provisions of
23 this section, together with any of the other provisions of
24 this article, shall not exceed seven thousand five
25 hundred dollars annually.

26 Any annuitant receiving the supplemental benefit
27 provided for herein for the annuity payment period just
28 prior to the first day of July, one thousand nine hundred
29 eighty-five, or any annuitant made newly eligible for
30 receipt of such supplemental benefit on such date, shall
31 receive a nineteen percent increase in the amount of
32 such supplemental benefit prior received or newly
33 calculated, effective on and after the first day of July,
34 one thousand nine hundred eighty-five, and irrespective
35 of the maximum total annuity proviso and limitation of
36 seven thousand five hundred dollars annually. In any
37 fiscal year in which pay increases are granted by the
38 Legislature to active public employees, there may also
39 be given an increase in retirement benefits for retired
40 public employees, if funding is available for this
41 purpose.

42 For the purpose of calculating the supplemental
43 benefit provided in this section, fractional parts of a
44 service credit year are to be disregarded unless in excess
45 of one half of a credited service year, in which event the
46 same shall constitute a full year of service credit.

47 For the purpose of computation for determination of
48 eligibility and for the amount of any supplemental
49 benefit hereunder, separate computation shall be made
50 of a retirant's own benefit and that which may be
51 receivable as beneficiary of another, under the provis-

52 ions of this article, with each such benefit being eligible
53 for the supplemental benefit herein provided.

§5-10-22d. Supplemental benefits for certain annuitants.

1 Beginning on the first day of January, one thousand
2 nine hundred ninety-one, as an additional supplement to
3 other retirement allowances provided, any annuitant
4 who is receiving a retirement annuity on the effective
5 date of this section shall receive a supplemental benefit,
6 prospectively, if the effective date of retirement for such
7 annuitant was prior to the first day of January, one
8 thousand nine hundred eighty-one. Each such annuitant
9 shall receive as his or her supplemental benefit an
10 increased annual amount which is the product of the
11 sum of six dollars multiplied by his or her years of
12 credited service. Nothing in this or any other section of
13 this code shall be construed to require any appropriation
14 of state general revenue funds for the payment of any
15 benefit provided for in this section.

[Handwritten signature]

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

[Handwritten Signature]
.....
Chairman Senate Committee

Ernest C. Moore
.....
Chairman House Committee

Originating in the House.

Takes effect from passage.

Parrell Edlhus
.....
Clerk of the Senate

Donald L. Kopp
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker of the House of Delegates

The within *is approved* this the *11th*
day of *May*, 1993.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 4/24/93

Time 11:26 am

JW