

1 **H. B. 4654**

2
3 (By Delegates Morgan and Stephens)

4 [Originating in the Committee on Government Organization]

5 (February 24, 2012)

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10 A BILL to amend and reenact §5-10D-6 of the Code of West Virginia,
11 1931, as amended, relating to voluntary deductions by the
12 Consolidated Public Retirement Board from monthly benefits to
13 pay retiree organization dues; requiring the Consolidated
14 Public Retirement Board to provide mailing services upon
15 request of certain retiree organizations; authorizing the
16 Consolidated Public Retirement Board to contract with a third
17 party to provide mailing services if the third party agrees to
18 maintain the confidentiality of the list; providing that the
19 Consolidated Public Retirement Board is not liable for
20 providing the mailing lists; and terminating the authority to
21 request and provide mailing services as of a certain date.

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

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

1 **ARTICLE 10D. CONSOLIDATED PUBLIC RETIREMENT BOARD.**

2 **§5-10D-6. Voluntary deductions by the Consolidated Public**
3 **Retirement Board from monthly benefits to retirees**
4 **to pay association organization dues.**

5 (a) Any recipient of monthly retirement benefits from any
6 public retirement plan in this state may authorize that a deduction
7 from his or her monthly benefits be made for the payment of
8 membership dues or fees to a retiree ~~association~~ organization. The
9 deductions shall be authorized on a form provided by the
10 Consolidated Public Retirement Board and shall include:

11 ~~(a)~~ (1) The identity and social security number of the
12 retiree;

13 ~~(b)~~ (2) The amount and frequency of the deduction;

14 ~~(c)~~ (3) The identity and address of the ~~association~~
15 organization to which the dues or fees shall be paid; and

16 ~~(d)~~ (4) The signature of the retiree.

17 (b) Any retiree organization authorized by its retirees to
18 receive payment for membership dues shall certify to the
19 Consolidated Public Retirement Board the amount of monthly dues.

20 (c) Upon execution of the authorization by the retiree,
21 certification of the amount of monthly dues by the retiree
22 organization, and ~~its~~ the receipt of the authorization and
23 certification, by the Consolidated Public Retirement Board ~~the~~
24 deduction shall be made shall deduct the membership dues on the

1 tenth day of each month: *Provided*, That the deduction may not be
2 made more frequently than monthly.

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

7 (e) Notwithstanding the provisions of section twenty-one,
8 article eight, chapter five-a of this code to the contrary, a
9 retiree organization that represents West Virginia public retirees
10 may request the Consolidated Public Retirement Board to mail
11 voluntary membership applications, dues deduction cards and other
12 information to any group of eligible retirees of any West Virginia
13 public retirement plan, including, but not limited to, retirees of:

14 (1) The Public Employees Retirement System;

15 (2) The Deputy Sheriff Retirement System;

16 (3) Any Policemen's or Firemen's Pension and Retirement Fund;

17 (4) Municipal Employees Retirement and Benefit Fund;

18 (5) West Virginia State Police Retirement System;

19 (6) Emergency Medical Services Retirement System;

20 (7) State Teachers Retirement System;

21 (8) Teachers' Defined Contribution Retirement System; and

22 (9) The Retirement System for Judges of Courts of Record.

23 (f) The retiree organization shall pay all costs associated
24 with its mailings.

1 (g) Upon the request of a retiree organization that represents
2 West Virginia public retirees, the Consolidated Public Retirement
3 Board shall mail or cause to be mailed voluntary membership
4 applications, dues deduction cards and other information submitted
5 by the retiree organization.

6 (h) The Consolidated Public Retirement Board may provide the
7 mailing services or may contract with a third party to provide the
8 mailing services: *Provided*, That the third party agrees to maintain
9 the confidentiality of the list and to use the list only for the
10 purposes authorized by this section.

11 (i) The Consolidated Public Retirement Board is not liable to
12 retirees for providing the names and addresses as provided in this
13 section.

14 (j) The provisions of subsections (e), (f), (g), (h) and (i)
15 of this section shall expire on July 1, 2022.