

**H. B. 4395**

(By Delegates Swartzmiller and D. Poling)  
[Introduced February 2, 2012; referred to the  
Committee on Pensions and Retirement then Finance.]

**FISCAL  
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by  
adding thereto a new section, designated §7-14D-12a, relating  
to providing a one-time supplement for certain annuitants and  
survivor beneficiaries after being retired at least three  
consecutive years .

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

That the Code of West Virginia, 1931, as amended, be amended  
by adding thereto a new section, designated §7-14D-12a, to read as  
follows:

**ARTICLE 14D. DEPUTY SHERIFF RETIREMENT SYSTEM ACT.**

**§7-14D-12a. One-time supplement for certain annuitants effective  
July 1, 2012.**

(a) A one-time supplement to retirement benefits is provided  
to all retirees that have been annuitants at least three

1 consecutive years but less than five consecutive years as of the  
2 effective date of this section and beneficiaries of deceased  
3 members who have been annuitants for at least three consecutive  
4 years but less than five consecutive years as of the effective date  
5 of this section. This one-time supplement shall equal two percent  
6 of his or her monthly annuity benefit.

7       (b) A one-time supplement to retirement benefits is provided  
8 to all retirees that have been annuitants for at least five or more  
9 consecutive years as of the effective date of this section and  
10 beneficiaries of deceased members who have been annuitants for at  
11 least five or more consecutive years as of the effective date of  
12 this section. This one-time supplement shall equal four percent of  
13 his or her monthly annuity benefit.

14       © The one-time supplement provided in this section applies to  
15 all retirees that have been annuitants for at least three  
16 consecutive years but less than five consecutive years as of the  
17 effective date of this section and beneficiaries of deceased  
18 members who have been receiving benefits under the retirement  
19 system for at least three consecutive years but less than five  
20 consecutive years as of the effective date of this section, and to  
21 all retirees that have been annuitants for at least five or more  
22 consecutive years as of the effective date of this section and  
23 beneficiaries of deceased members who have been receiving benefits  
24 under the retirement system for at least five or more consecutive

1 years as of the effective date of this section. Beneficiaries  
2 eligibility will be based upon the original retirement date of the  
3 deceased member. This supplement applies to all eligible regular  
4 retirees, eligible disability retirees and their eligible  
5 beneficiaries. This supplement shall remain as part of the  
6 annuitants future benefits: *Provided*, That the supplement provided  
7 in this section is subject to any applicable limitations under  
8 Section 415 of the Internal Revenue Code of 1986, as amended.

NOTE: The purpose of this bill is to provide a one-time supplement for certain annuitants and survivor beneficiaries after being retired at least three consecutive years.

§7-14D-12 is new; therefore it has been completely underscored.