

H. B. 4654

(BY DELEGATES MORGAN AND STEPHENS)

(Originating in the Committee on Government Organization)
[February 24, 2012]

A BILL 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 organization dues; requiring the Consolidated Public Retirement Board to provide mailing services upon request of certain retiree organizations; authorizing the Consolidated Public Retirement Board to contract with a third party to provide mailing services if the third party agrees to maintain the confidentiality of the list; providing that the Consolidated Public Retirement Board is not liable for providing the mailing lists; and terminating the authority to request and provide mailing services as of a certain date.

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~~ organization dues.

1 (a) Any recipient of monthly retirement benefits from any
2 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 organization. The deductions shall be authorized on a form
6 provided by the Consolidated Public Retirement Board and
7 shall include:

8 ~~(a)~~ (1) The identity and social security number of the
9 retiree;

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

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

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

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

18 (c) Upon execution of the authorization by the retiree,
19 certification of the amount of monthly dues by the retiree
20 organization, and its the receipt of the authorization and
21 certification, by the Consolidated Public Retirement Board
22 ~~the deduction shall be made~~ shall deduct the membership
23 dues on the tenth day of each month: *Provided*, That the
24 deduction may not be made more frequently than monthly.

25 (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.

29 (e) Notwithstanding the provisions of section twenty-one,
30 article eight, chapter five-a of this code to the contrary, a
31 retiree organization that represents West Virginia public

32 retirees may request the Consolidated Public Retirement
33 Board to mail voluntary membership applications, dues
34 deduction cards and other information to any group of
35 eligible retirees of any West Virginia public retirement plan,
36 including, but not limited to, retirees of:

37 (1) The Public Employees Retirement System;

38 (2) The Deputy Sheriff Retirement System;

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

41 (4) Municipal Employees Retirement and Benefit Fund;

42 (5) West Virginia State Police Retirement System;

43 (6) Emergency Medical Services Retirement System;

44 (7) State Teachers Retirement System;

45 (8) Teachers' Defined Contribution Retirement System;

46 and

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

49 (f) The retiree organization shall pay all costs associated
50 with its mailings.

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

56 (h) The Consolidated Public Retirement Board may
57 provide the mailing services or may contract with a third
58 party to provide the mailing services: *Provided, That the*
59 third party agrees to maintain the confidentiality of the list
60 and to use the list only for the purposes authorized by this
61 section.

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

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