

# WEST VIRGINIA LEGISLATURE

## 2016 REGULAR SESSION

Introduced

### House Bill 2404

FISCAL  
NOTE

2015 Carryover

(BY DELEGATE RODIGHIERO)

[Introduced January 13, 2016; referred to the  
Committee on Pensions and Retirement then  
Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §5-10-22l; and to amend said code by adding thereto a new section,  
 3 designated §18-7A-26w, all relating to providing one-time supplements to all annuitants  
 4 when they reach the age of seventy.

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

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
 2 section, designated §5-10-22l; and that said code be amended by adding thereto a new section,  
 3 designated §18-7A-26w, all to read as follows:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE  
 GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL;  
 BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,  
 COMMISSIONS, OFFICES, PROGRAMS, ETC.**

**ARTICLE 10. WEST VIRGINIA PUBLIC EMPLOYEES RETIREMENT ACT.**

**§5-10-22l. One-time supplement for all annuitants when they reach the age of seventy.**

1 (a) A supplement to retirement benefits of three percent is provided to all retirees when  
 2 they reach age seventy and beneficiaries of deceased members at the time the members would  
 3 have reached seventy years of age.

4 (b) The supplement provided in this section applies only to members when they have  
 5 reached the age of seventy, and if applicable, to beneficiaries of deceased members who have  
 6 been receiving benefits under the retirement system prior to the effective date of this section.

7 Also, the supplement provided herein is subject to any applicable limitations thereon under section  
 8 four hundred fifteen of the Internal Revenue Code of 1986, as amended.

**CHAPTER 18. EDUCATION.**

**ARTICLE 7A. STATE TEACHERS RETIREMENT SYSTEM.**

**§18-7A-26w. One-time supplement for all annuitants when they reach the age of seventy.**

1       (a) A supplement to retirement benefits of three percent is provided to all retirees when  
2 they reach age seventy and beneficiaries of deceased members at the time they would have  
3 reached seventy years of age.

4       (b) The supplement provided in this section applies only to members when they have  
5 reached the age of seventy, and if applicable, to beneficiaries of deceased members who have  
6 been receiving benefits under the retirement system prior to the effective date of this section.  
7 The supplement provided herein is subject to any applicable limitations thereon under section four  
8 hundred fifteen of the Internal Revenue Code of 1986, as amended.

NOTE: The purpose of this bill is to provide for a supplement of three percent to be paid to all annuitants of the Public Employees' Retirement and Teachers' Retirement Systems at the time they reach the age of seventy.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.