

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4669

BY DELEGATES BOGGS AND PETHTEL

Introduced February 14, 2022; Referred to the
Committee on the Judiciary]

1 A BILL to amend and reenact §5-10D-6 of the Code of West Virginia, as amended, relating to the
2 voluntary deductions by the Consolidated Public Retirement Board from monthly benefits
3 to retirees to pay association dues and associated mailings; and removing the July 1,
4 2022, sunset date for this section.

Be it enacted by the Legislature of West Virginia:

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 dues.

1 (a) Any recipient of monthly retirement benefits from any public retirement plan in this state
2 may authorize that a deduction from his or her monthly benefits be made for the payment of
3 membership dues or fees to a retiree association. The deductions shall be authorized on a form
4 provided by the Consolidated Public Retirement Board and shall include: (1) The identity and
5 social security number of the retiree; (2) the amount and frequency of the deduction; (3) the
6 identity and address of the association to which the dues or fees shall be paid; and (4) the
7 signature of the retiree.

8 (b) Any retiree association authorized by recipients of monthly benefits from any public
9 retirement plan in this state to receive dues or fees from deductions from retirants' monthly
10 benefits may notify the board of its monthly dues on a form provided by the board: *Provided*, That
11 no increase in dues or fees ~~will~~ may be deducted from any retirant's monthly benefit until the
12 retirant has completed an authorization form containing the information in subsection (a) and
13 submitted this authorization to the board. The increased monthly retiree association dues or fees
14 ~~will~~ shall be deducted commencing the month following the receipt of the authorization form to
15 the board.

16 (c) Upon execution of the authorization and its receipt by the Consolidated Public
17 Retirement Board, the deduction shall be made in the manner specified on the form and remitted
18 to the designated association on the 10th day of each month: *Provided*, That the deduction may

19 not be made more frequently than monthly.

20 (d) Deduction authorizations may be revoked at any time at least 30 days prior to the date
21 on which the deduction is regularly made, and on a form to be provided by the Consolidated Public
22 Retirement Board.

23 (e) Notwithstanding the provisions of §5A-8-21 of this code to the contrary, a retiree
24 association representing only West Virginia public retirees may request the board to mail
25 voluntary membership applications and dues deduction cards to any eligible retirees of any West
26 Virginia public retirement plan administered by the board: *Provided*, That the retiree association
27 shall pay all costs associated with these mailings, including, but not limited to, copying, mailing,
28 postage, record-keeping and auditing: *Provided, however*, That the board may contract with a
29 third-party to provide mailing services that agrees to maintain the confidentiality of the names,
30 addresses and other personally identifiable information of the retirants.

31 (f) The board is not liable to any retirant, beneficiary or other annuitant for any action
32 undertaken pursuant to this section. Any retiree association agrees, by requesting the board to
33 deduct dues or fees or to provide mailings for it, to be responsible for any errors or omissions by
34 the board in conducting these activities pursuant to this section.

35 (g) If any retiree association fails to timely pay to the board all costs required by this
36 section, the board is authorized to thereafter refuse to provide the services in subsection (e).

37 ~~(h) The provisions of this section shall expire July 1, 2022~~

NOTE: The purpose of this bill is to remove the provision that states this section shall expire July 1, 2022, so that retirees may continue to have deductions from monthly benefits for the payment of membership dues or fees to a retiree association and continued associated mailings.

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