

**WEST VIRGINIA LEGISLATURE**  
SECOND REGULAR SESSION, 2012



**ENROLLED**

**House Bill No. 4654**

(By Delegates Morgan and Stephens)



Passed March 7, 2012

To Take Effect From Passage

# ENROLLED

## H. B. 4654

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(BY DELEGATES MORGAN AND STEPHENS)

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[Passed March 7, 2012; to take effect from passage.]

AN ACT 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 association dues; establishing the date when the increased dues will be deducted; requiring prior authorization of the increased deductions by the retirants; adding requirement of board provision of blind mailing services for retiree associations; providing that the board is not liable for the provision of services; establishing a termination date of July 1, 2022.

*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 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 The deductions shall be authorized on a form provided by the  
6 Consolidated Public Retirement Board and shall include: (1)  
7 The identity and social security number of the retiree; (2) the  
8 amount and frequency of the deduction; (3) the identity and  
9 address of the association to which the dues or fees shall be  
10 paid; and (4) the signature of the retiree.

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

22 (c) Upon execution of the authorization and its receipt by the  
23 Consolidated Public Retirement Board, the deduction shall be  
24 made in the manner specified on the form and remitted to the  
25 designated association on the tenth day of each month:  
26 *Provided*, That the deduction may not be made more  
27 frequently than monthly.

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

32 (e) Notwithstanding the provisions of section twenty-one,  
33 article eight, chapter five-a of this code to the contrary, a  
34 retiree association representing only West Virginia public

35 retirees may request the board to mail voluntary membership  
36 applications and dues deduction cards to any eligible retirees  
37 of any West Virginia public retirement plan administered by  
38 the board: *Provided*, That the retiree association shall pay all  
39 costs associated with these mailings, including but not limited  
40 to copying, mailing, postage, record-keeping and auditing:  
41 *Provided, however*, That the board may contract with a third-  
42 party to provide mailing services that agrees to maintain the  
43 confidentiality of the names, addresses and other personally  
44 identifiable information of the retirants.

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

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

55 (h) The provisions of this section shall expire July 1,  
56 2022.



The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

To take effect from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

The within \_\_\_\_\_ this the \_\_\_\_\_  
day of \_\_\_\_\_, 2012.

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*Governor*