WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2152

BY DELEGATE SPONAUGLE

[Introduced January 9, 2019; Referred

to the Committee on Pensions and Retirement then

Education.]

A BILL to amend and reenact §18-7A-13a of the Code of West Virginia, 1931, as amended,
 relating to permitting teachers under the State Teachers Retirement System to teach
 college level courses without loss of retirement annuity or benefits.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7A. STATE TEACHERS RETIREMENT SYSTEM.

18-7A-13a. Resumption of service by retired teachers.

(a) For the purpose of this section, reemployment of a former or retired teacher as a
 teacher shall in no way does not impair the teacher's eligibility for a prior service pension or any
 other benefit provided by this article.

4 (b) Retired teachers who qualified for an annuity because of age or service may not 5 receive prior service allowance from the retirement board when employed as a teacher and when 6 regularly employed by the State of West Virginia. The payment of the allowance shall be 7 discontinued on the first day of the month within which such employment begins and shall be 8 resumed on the first day of the month succeeding the month within which such the employment 9 The annuity paid the teacher on first retirement resulting from the Teachers' ceases. Accumulation Fund and the Employers' Accumulation Fund shall continue throughout the 10 11 governmental service and thereafter according to the option selected by the teacher upon first 12 retirement.

13 (c) Retired teachers who qualified for an annuity because of disability shall may not receive 14 no further retirement payments if the retirement board finds that the disability of the teacher no 15 longer exists; payment shall be discontinued on the first day of the month within which the finding 16 is made. If the retired teacher returns to service as a teacher, he or she shall contribute to the 17 Teachers' Accumulation Fund as a member of the system. His or her prior service eligibility, if any, shall may not be impaired because of his or her disability retirement. His or her accumulated 18 19 contributions which were transferred to the benefit fund upon his or her retirement shall be 20 returned to his or her individual account in the Teachers' Accumulation Fund, minus retirement

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payments received which were not supported by such contributions and interest. Upon
subsequent retirement, he or she shall receive credit for all of his or her contributory experience,
anything to the contrary in this article notwithstanding.

(d) Notwithstanding any provision of this code to the contrary, a person who retires under the system provided by this article may subsequently become employed on either a full-time basis, part-time basis or contract basis by any institution of higher education without any loss of retirement annuity or retirement benefits: if the person's retirement commences between the effective date of the enactment of this section in 2002 and December 31, 2002 *Provided*, That the person shall is not be eligible to participate in any other state retirement system provided by this code.

(e) The retirement board is herewith authorized to may require of the retired teachers and
 their employers such reports as it deems considers necessary to effectuate the provisions of this
 section.

NOTE: The purpose of this bill is to permit retired public school teachers to teach college level courses without loss of retirement benefits.

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

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