

HB 109

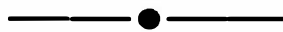
FILED

2006 JUN 28 P 2: 24

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST EXTRAORDINARY SESSION, 2006



# ENROLLED

## House Bill No. 109

(By Mr. Speaker, Mr. Kiss, and Delegate Trump)  
[By Request of the Executive]



Passed June 14, 2006

In Effect from Passage

FILED

2006 JUN 28 P 2: 24

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

ENROLLED

H. B. 109

(BY MR. SPEAKER, MR. KISS, AND DELEGATE TRUMP)

[BY REQUEST OF THE EXECUTIVE]

---

[Passed June 14, 2006; in effect from passage.]

---

AN ACT to amend and reenact §5-10-22i of the Code of West Virginia, 1931, as amended; and to amend and reenact §18-7A-26t of said code, all relating to one-time supplements to retirement benefits for certain annuitants; establishing the amount and eligibility date for the one-time supplement to retirement benefits for certain annuitants under the Public Employees Retirement Act; and establishing the eligibility date for the one-time supplement to retirement benefits for certain annuitants under the State Teachers Retirement System.

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

That §5-10-22i of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that §18-7A-26t of said code be amended and reenacted, all to read as follows:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF  
THE GOVERNOR, SECRETARY OF STATE AND  
ATTORNEY GENERAL; BOARD OF PUBLIC**

US :S

**WORKS; MISCELLANEOUS AGENCIES,  
COMMISSIONS, OFFICES, PROGRAMS, ETC.**

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

**§5-10-22i. One-time supplement for certain annuitants effective  
July 1, 2006.**

1 (a) A one-time supplement to retirement benefits of three  
2 percent, as determined by appropriation of the Legislature, shall  
3 be provided to all retirees that are age seventy or older and have  
4 been annuitants for at least five consecutive years as of the first  
5 day of July, two thousand six, and beneficiaries of deceased  
6 members who would have been at least seventy years of age or  
7 older and have been annuitants for at least five consecutive  
8 years as of the first day of July, two thousand six.

9 (b) The one-time supplement provided in this section  
10 applies only to members who have retired at least five years  
11 prior to the first day of July, two thousand six, or, if applicable,  
12 to beneficiaries of deceased members who have been receiving  
13 benefits under the retirement system at least five years prior to  
14 the first day of July, two thousand six: *Provided*, That the  
15 supplement provided herein is subject to any applicable  
16 limitations thereon under Section 415 of the Internal Revenue  
17 Code of 1986, as amended.

**CHAPTER 18. EDUCATION.**

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

**§18-7A-26t. One-time supplement for certain annuitants effective  
July 1, 2006.**

1 (a) A one-time supplement to retirement benefits of three  
2 percent shall be provided to all retirees that are age seventy or  
3 older and have been annuitants for at least five consecutive  
4 years as of the first day of July, two thousand six, and benefi-

5 ciaries of deceased members who would have been at least  
6 seventy years of age or older and have been annuitants for at  
7 least five consecutive years as of the first day of July, two  
8 thousand six.

9 (b) The one-time supplement provided in this section  
10 applies only to members who have retired at least five years  
11 prior to the first day of July, two thousand six, or, if applicable,  
12 to beneficiaries of deceased members who have been receiving  
13 benefits under the retirement system at least five years prior to  
14 the first day of July, two thousand six: *Provided*, That the  
15 supplement provided herein is subject to any applicable  
16 limitations thereon under Section 415 of the Internal Revenue  
17 Code of 1986, as amended.

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

*Chandy White*

Chairman Senate Committee

*[Signature]*

Chairman House Committee

Originating in the House.

In effect from passage.

*Darrell Elkins*

Clerk of the Senate

*[Signature]*

Clerk of the House of Delegates

*Carl Ray Tomblin*

President of the Senate

*[Signature]*

Speaker of the House of Delegates

The within is approved this the 28<sup>th</sup>  
day of June 2006.

*[Signature]*

Governor

PRESENTED TO THE  
GOVERNOR

JUN 19 2006

Time 10:15 AM