

**H. B. 4341**

(By Delegates Shaver, Pethtel, Williams, Pino,  
Frazier, R. Phillips, Givens, Perry, Barill,  
Mahan and Stowers)

[Introduced January 30, 2012; referred to the  
Committee on Government Organization then Finance.]

**FISCAL  
NOTE**

A BILL to amend and reenact §29-6-27 of the Code of West Virginia,  
1931, as amended, relating to permitting a civil service  
employee to receive donated leave from another employee to  
care for a member of his or his household in a medical  
emergency.

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

That §29-6-27 of the Code of West Virginia, 1931, as amended,  
be amended and reenacted to read as follows:

**ARTICLE 6. CIVIL SERVICE SYSTEM.**

**§29-6-27. Leave donation program.**

The Division of Personnel after consultation with other state  
agencies shall establish a program under which annual leave accrued  
or accumulated by an employee of an agency may, if voluntarily  
agreed to by the employee, be transferred to the annual leave  
account of another designated employee if the other employee  
requires additional leave because of a medical emergency. The

1 annual leave program shall be established by legislative rule  
2 pursuant to the provisions of chapter twenty-nine-a of this code.  
3 The Division of Personnel shall file such legislative rule no later  
4 than July 15, 1995. The division shall prepare an annual status  
5 report to be presented to the Joint Committee on Government and  
6 Finance no later than January 5, each year. A "medical emergency"  
7 means a medical condition of an employee, ~~or a~~ family member of the  
8 employee or a member of the employee's household that is likely to  
9 require the prolonged absence of the employee from duty and which  
10 will result in a substantial loss of income to the employee because  
11 of the unavailability of paid leave. As used in this section,  
12 "employee" includes employees in the classified and  
13 classified-exempt service and employees exempt from coverage who  
14 are under this article entitled to annual leave as a benefit of  
15 employment: *Provided*, That none of the leave so transferred may be  
16 used to qualify for or add to service for any retirement system  
17 administered by the State of West Virginia.

NOTE: The purpose of this bill is to permit a civil service employee to donate accumulated leave to another civil service employee in order to care for a member of his or his household during a medical emergency.

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