

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **Senate Bill No. 322**

5 (BY SENATORS KESSLER (MR. PRESIDENT) AND M. HALL,

6 BY REQUEST OF THE EXECUTIVE)

7 _____
8 [Passed March 5, 2014; to take effect July 1, 2014.]
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11
12 AN ACT to amend and reenact §6-7-1 of the Code of West Virginia,
13 1931, as amended, relating to authorizing state agencies,
14 state institutions of higher education and the Higher
15 Education Policy Commission to transition all employees,
16 officers and officials, except elected officials, into payment
17 in arrears and to pay employees biweekly as part of the
18 standardization of the state's accounting and payroll
19 functions under the Enterprise Resource Planning Board.

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

21 That §6-7-1 of the Code of West Virginia, 1931, as amended, be
22 amended and reenacted to read as follows:

23 **ARTICLE 7. COMPENSATION AND ALLOWANCES.**

24 **§6-7-1. State officials, officers and employees to be paid at**

1 **least twice per month; new employees paid in arrears;**
2 **effective date.**

3 All full-time and part-time salaried and hourly officials,
4 officers and employees of the state, state institutions of higher
5 education and the Higher Education Policy Commission shall be paid
6 at least twice per month, and under the same procedures and in the
7 same manner as the State Auditor currently pays agencies: *Provided,*
8 That on and after July 1, 2002, all new officials, officers and
9 employees of the state, a state institution of higher education and
10 the Higher Education Policy Commission, statutory officials,
11 contract educators with higher education and any exempt official
12 who does not earn annual and sick leave, except elected officials,
13 shall be paid one pay cycle in arrears. The term "new employee"
14 does not include an employee who transfers from one state agency,
15 a state institution of higher education or the Higher Education
16 Policy Commission to another state agency, another state
17 institution of higher education or the Higher Education Policy
18 Commission without a break in service: *Provided, however,* That,
19 after July 1, 2014, all state employees paid on a current basis
20 will be converted to payment in arrears. For accounting purposes
21 only, any payments received by such employees at the end of the pay
22 cycle of the conversion pay period will be accounted for as a
23 credit due the state. Notwithstanding any other code provision to
24 the contrary, any such credit designation made for accounting of

1 this conversion will be accounted for by the Auditor at the
2 termination of an employee's employment and such accounting shall
3 be documented in the employee's final wage payment. Nothing
4 contained in this section is intended to increase or diminish the
5 salary or wages of any official, officer or employee.