

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 700

FISCAL
NOTE

By Senator Trump

[Introduced February 20, 2023; referred
to the Committee on Government Organization; and
then to the Committee on Finance]

1 A BILL to amend and reenact §29-6-5 of the Code of West Virginia, 1931, as amended, relating to
 2 ceasing operations of the Division of Personnel by June 30, 2023; providing for transfer of
 3 duties to individual agencies; and providing rule-making authority.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. CIVIL SERVICE SYSTEM.

§29-6-5. Division of Personnel continued until June 30, 2023; transition of duties to agencies beginning July 1, 2023; rulemaking; functions.

1 (a) The Division of Personnel is continued within the Department of Administration until
 2 June 30, 2023.

3 (b) The Division of Personnel shall perform the following functions:

4 (1) Evaluating applicants for appointment or promotion to positions in the classified
 5 service;

6 (2) Establishing and applying a system of classification for positions in the classified and
 7 classified-exempt service;

8 (3) Establishing and applying a system of compensation for positions in the classified
 9 service;

10 (4) Establishing and maintaining records of employment for classified employees;

11 (5) Advising appointing authorities and supervisory personnel regarding disciplinary
 12 matters, the provisions of this article, rules implementing the provisions of this article, and laws
 13 and rules affecting human resource management;

14 (6) Providing training in human resource management and the operation of the state
 15 personnel system;

16 (7) Assuring compliance with this article and rules implementing the provisions of this
 17 article; and

18 (8) Other functions necessary to the establishment of a system of personnel administration
 19 as provided in this article.

- 20 (c) Beginning on July 1, 2023, each agency subject to the Division of Personnel's
21 processes and procedures will become responsible for the following:
- 22 (1) Evaluating applicants for appointment or promotion to positions within the agency; and
23 (2) Establishing and maintaining records of employment for all agency employees; and
24 (3) Determining the classification of, and compensation for, agency employees; and
25 (4) Ensuring that the agency has qualified staff to undertake the recruitment, advertising,
26 hiring, and human resource personnel management in accordance with the provisions of this
27 article, and all other laws and rules applicable to employment within that agency; and
- 28 (5) Any other task necessary for the proper functioning of the state's personnel law and
29 rules, as designated by the board.
- 30 (d) The secretary and the board shall establish interim policies and procedures to aid in the
31 orderly and efficient process during the transfer of the personnel administration to the agencies.
- 32 (e) The board shall promulgate emergency legislative rules pursuant to the provisions of
33 §29-3A-15 of this code in order to effectuate the purposes of this section.

NOTE: The purpose of this bill is to cease operations of the Division of Personnel; provide for transfer of functions to individual agencies; and provide for rulemaking.

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