

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 213

FISCAL
NOTE

By Senator Clements

[Introduced January 13, 2023; referred
to the Committee on Government Organization; and
then to the Committee on Finance]

1 A BILL to amend and reenact §30-29-8 of the Code of West Virginia, 1931, as amended, relating to
2 responsibility for reimbursement of training costs of law-enforcement employees who
3 leave original jurisdiction of employment for employment in another law-enforcement
4 agency in this state.

Be it enacted by the Legislature of West Virginia:

ARTICLE 29. LAW-ENFORCEMENT TRAINING AND CERTIFICATION.

**§30-29-8. Compensation for employees attending law-enforcement training academy;
limitations; agreements to reimburse employers for wages and expenses of
employees trained but not continuing employment.**

1 (a) A West Virginia law-enforcement agency shall, and a governing board may, pay
2 compensation to employees, including wages, salaries, benefits, tuition, and expenses, for the
3 employees' attendance at a law-enforcement training academy. The compensation paid to the
4 employees for such attendance may not include overtime compensation under the provisions of
5 §21-5C-3 of this code and shall be at the regular rate to which each employee would be entitled for
6 a workweek of 40 hours in regular employment with the employer. If a law-enforcement employee
7 leaves the jurisdiction of his or her employment after training, for employment in any other law-
8 enforcement agency within this state, the new jurisdiction is responsible for reimbursement of
9 wages, salaries, benefits, tuition, and expenses paid by a West Virginia law-enforcement agency
10 or governing board, for the employees' attendance at a law-enforcement training academy portion
11 of compensation, with the reimbursement to be paid to the governing board, paid pro rata over a
12 period of two years.

13 (b) In consideration for such compensation, the governing board, hospital, county
14 commission, or municipal government may require each employee to enter into a written
15 agreement in advance of such attendance that obligates the employee to repay the employer if he
16 or she voluntarily discontinues employment within one year immediately following completion of
17 the training curriculum. The amount of repayment shall be a pro rata portion of the total

18 compensation which is equal to the portion of the year which the employee chose not to remain
19 employed.

20 (c) As used in this section, "governing board" has the meaning ascribed in §18B-1-2 of this
21 code.

NOTE: The purpose of this bill is to establish responsibility for reimbursement of training costs of law-enforcement employees who leave original jurisdiction of employment for employment in any other law-enforcement agency in this state.

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