

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5430

By Delegates Kelly, Phillips, Hornby, Jeffries, Kimble,

Hott, Holstein, and Pinson

[Introduced February 2, 2024; Referred to the

Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §51-3-20, relating to per diem compensation and expenses of newly elected or
3 appointed judicial officers receiving education and training prior to taking the oath of office.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. COURTS IN GENERAL.

§51-3-20. Judicial Officer Education and Training.

1 The Supreme Court may, in its discretion, pay newly appointed or elected circuit judges,
2 family court judges, and magistrates per diem compensation and expenses for attending training
3 and education sessions prior to taking the oath of office and beginning his or her term. The Court
4 may compensate these judicial officers up to a rate equivalent to the daily per diem rate of senior
5 status circuit judges, temporary family court judges, or senior status magistrates for each required
6 day of attendance, plus travel expenses.

NOTE: The purpose of this bill is to allow newly elected or appointed circuit judges, family court judges, and magistrates to receive compensation and expenses for training sessions prior to taking the oath of office and beginning their term. Other sections of code generally prohibit an elected official from receiving compensation prior to the start of a term absent an exception in code.

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