

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 2497**

**FISCAL  
NOTE**

By Delegates Hite, W. Clark, and Hornby

[Introduced February 17, 2025; referred to the  
Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §5-5-7; to amend said code by adding thereto a new section, designated §15-  
 3 2-5a; and to amend said code by adding thereto a new section, designated §18A-4-5c,  
 4 relating to mandating executive branch agencies, State Police, and county boards of  
 5 education implementation of a regional differential pay designated, "Locality Pay";  
 6 providing that no private cause of action or right to grievance arises from operation of this  
 7 mandate.

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

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE  
 GOVERNOR, SECRETARY OF STATE, AND ATTORNEY GENERAL;  
 BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,  
 COMMISSIONS, OFFICES, PROGRAMS, ETC.**

**ARTICLE 5. SALARY INCREASE FOR STATE EMPLOYEES.**

**§5-5-7. Locality Pay; required provisions.**

1 (a) The Legislature hereby finds that in many areas throughout the state of WV, state  
 2 employee salaries are increasingly uncompetitive with some border state government salaries  
 3 and with those in the private sector, thus affecting recruiting and retention efforts by state  
 4 agencies. Therefore, the legislature mandates a Locality Pay increase to the base pay of all state  
 5 employees whose position falls within those areas designated. Locality Pay adjustments shall be  
 6 implemented beginning July 1, 2027.

7 (b) The Legislature further finds a designated area shall be determined by the OPM (Office  
 8 of Personnel Management) of the United States federal government:

9 (1) Only those West Virginia counties designated on the "Locality Pay Tables" within the  
 10 OPM General Schedule for wages would qualify as a designated area;

(2) The increase adjustments would be the percentage attributed to a designated area as determined by the OPM General Schedule for wages;

(3) An annual adjustment would be made and implemented on July 1<sup>st</sup> based on the annual update of the OPM "Locality Pay Table" for that year;

(4) Adjustments shall be applied to positions regardless of classification or title;

(5) Provided that the adjustments may not be construed to mandate an increase in the salary of any elected or appointed officer of the state;

(6) Provided that no right to grievance or private cause of action, either express or implied, is created, may be inferred, or otherwise may arise from the provisions or enactment of the policy; and

## CHAPTER 15. PUBLIC SAFETY.

**ARTICLE 2. WEST VIRGINIA STATE POLICE.**

**§15-2-5a. Locality Pay; required provisions.**

The superintendent shall implement a Locality Pay adjustment in accordance with the provisions of §5-5-7.

## CHAPTER 18A. SCHOOL PERSONNEL.

**ARTICLE 4. SALARIES, WAGES, AND OTHER BENEFITS.**

**§18A-4-5c. Locality Pay; required provisions.**

Each county board of education shall implement a Locality Pay adjustment in accordance with the provisions of §5-5-7 for professional and service personnel.

NOTE: The purpose of this bill is to mandate executive branch agencies, the State Police, and county boards of education implement a Locality Pay adjustment on July 1, 2027. The bill sets out the terms of eligibility. The bill further provides that no private cause of action or right to grievance shall arise as a result of enactment or operation of this policy

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