

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 3469

**FISCAL
NOTE**

By Delegates Ferrell and Campbell

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

1 A BILL to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended, relating to
 2 providing an annual salary increase for members of the West Virginia State Police who are
 3 assigned and serving in field duty, beginning July 1, 2025.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WEST VIRGINIA STATE POLICE.

§15-2-5. Career progression system state; salaries; exclusion from wage and hour laws, with supplemental payment; bond; leave time for members called to duty in guard or reserves.

1 (a) The superintendent shall establish within the West Virginia State Police a system to
 2 provide for: (1) The promotion of members to the supervisory ranks of sergeant, first sergeant,
 3 second lieutenant, and first lieutenant; (2) the classification of nonsupervisory members within the
 4 field operations force to the ranks of trooper, senior trooper, trooper first class, or corporal; and (3)
 5 the temporary reclassification of members assigned to administrative duties as administrative
 6 support specialist I-VIII. The promotion of individuals in the forensic laboratory shall include the
 7 classifications of Evidence Custodians I-IV, Forensic Technicians I-III, Forensic Scientists I-VI, and
 8 Forensic Scientist Supervisors I-IV, based on the Forensic Lab Career Progression System.

9 (b) The superintendent may propose legislative rules for promulgation in accordance with
 10 §29A-3-1 *et seq.* of this code for the purpose of ensuring consistency, predictability, and
 11 independent review of any system developed under the provisions of this section.

12 (c) The superintendent shall provide to each member a written manual governing any
 13 system established under the provisions of this section and specific procedures shall be identified
 14 for the evaluation and testing of members for promotion or reclassification and the subsequent
 15 placement of any members on a promotional eligibility or reclassification recommendation list. A
 16 written manual shall also be provided to individuals within the forensic laboratory governing any
 17 system established under the provisions of this section and specific procedures shall be identified
 18 for the evaluation of promotion or reclassification of those individuals.

19 (d) Effective July 1, 2024, members shall receive annual salaries payable at least twice per
 20 month as follows:

ANNUAL SALARY SCHEDULE (BASE PAY)		
SUPERVISORY AND NONSUPERVISORY RANKS		
Cadet Training	During	\$53,724
Cadet Training	Trooper After	\$60,984
Trooper Second Year		\$61,996
Trooper Third Year		\$62,379
Senior Trooper		\$62,778
Trooper First Class		\$63,384
Corporal		\$63,990
Sergeant		\$68,291
First Sergeant		\$70,442
Second Lieutenant		\$72,592
First Lieutenant		\$74,743
Captain		\$76,894
Major		\$79,044
Lieutenant Colonel		\$81,195
ANNUAL SALARY SCHEDULE (BASE PAY)		

ADMINISTRATION	SUPPORT
SPECIALIST CLASSIFICATION	
I	\$61,996
II	\$62,778
III	\$63,384
IV	\$63,990
V	\$68,291
VI	\$70,442
VII	\$72,592
VIII	\$74,743

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Effective July 1, 2024, designated individuals within the forensic laboratory shall receive

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annual base salaries payable at least twice per month as follows:

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ANNUAL SALARY SCHEDULE (BASE PAY)	
EVIDENCE CUSTODIAN	
I	\$50,850
II	\$53,178
III	\$56,839
IV	\$59,866
FORENSIC TECHNICIAN	
I	\$53,050
II	\$54,744
III	\$58,626

FORENSIC SCIENTIST	
I	\$60,250
II	\$62,434
III	\$64,538
IV	\$66,937
V	\$70,463
VI	\$74,263
FORENSIC SCIENTIST SUPERVISOR	
I	\$76,962
II	\$80,526
III	\$84,304
IV	\$88,308

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26 Each member of the West Virginia State Police whose salary is fixed and specified in this
 27 annual salary schedule is entitled to the length of service increases set forth in subsection (e) of
 28 this section and supplemental pay as provided in subsection (g) of this section.

29 (e) Each member of the West Virginia State Police whose salary is fixed and specified
 30 pursuant to this section shall receive, and is entitled to, an increase in salary over that set forth in
 31 subsection (d) of this section for grade in rank, based on length of service, including that service
 32 served before and after the effective date of this section with the West Virginia State Police as
 33 follows: Beginning on January 1, 2015, and continuing thereafter, at the end of two years of service
 34 with the West Virginia State Police, the member shall receive a salary increase of \$500 to be
 35 effective during his or her next year of service and a like increase at yearly intervals thereafter, with
 36 the increases to be cumulative. The forensic laboratory employees whose salaries are fixed and
 37 specified pursuant to this section, shall receive, and are entitled to, an increase in salary over that

38 set forth in subsection (d) of this section, in accordance with §15-2-7(h) of this code.

39 (f) Beginning July 1, 2025, each member of the West Virginia State Police whose salary is
40 fixed and specified pursuant to this section who are assigned and serving in field duty shall
41 receive, and is entitled to, an increase in annual salary in addition to that set forth in subsection (d)
42 of this section in the amount of \$3000.

43 (f) (g) In applying the salary schedules set forth in this section where salary increases are
44 provided for length of service, members of the West Virginia State Police in service at the time the
45 schedules become effective shall be given credit for prior service and shall be paid the salaries the
46 same length of service entitles them to receive under the provisions of this section.

47 (g) (h) The Legislature finds and declares that because of the unique duties of members of
48 the West Virginia State Police, it is not appropriate to apply the provisions of state wage and hour
49 laws to them. Accordingly, members of the West Virginia State Police are excluded from the
50 provisions of state wage and hour laws. This express exclusion shall not be construed as any
51 indication that the members were or were not covered by the wage and hour laws prior to this
52 exclusion.

53 In lieu of any overtime pay they might otherwise have received under the wage and hour
54 laws, and in addition to their salaries and increases for length of service, members who have
55 completed basic training and who are exempt from federal Fair Labor Standards Act guidelines
56 may receive supplemental pay as provided in this section.

57 The authority of the superintendent to propose a legislative rule or amendment thereto for
58 promulgation in accordance with §29A-3-1 *et seq.* of this code to establish the number of hours per
59 month which constitute the standard pay period for the members of the West Virginia State Police
60 is hereby continued. The rule shall further establish, on a graduated hourly basis, the criteria for
61 receipt of a portion or all of supplemental payment when hours are worked in excess of the
62 standard pay period. The superintendent shall certify at least twice per month to the West Virginia
63 State Police payroll officer the names of those members who have worked in excess of the

64 standard pay period and the amount of their entitlement to supplemental payment. The
65 supplemental payment may not exceed \$200 per pay period. The superintendent and civilian
66 employees of the West Virginia State Police are not eligible for any supplemental payments.

67 ~~(h)~~ (i) Each member of the West Virginia State Police, except the superintendent and
68 civilian employees, shall execute, before entering upon the discharge of his or her duties, a bond
69 with security in the sum of \$5,000 payable to the State of West Virginia, conditioned upon the
70 faithful performance of his or her duties, and the bond shall be approved as to form by the Attorney
71 General and as to sufficiency by the Governor.

72 ~~(i)~~ (j) In consideration for compensation paid by the West Virginia State Police to its
73 members during those members' participation in the West Virginia State Police Cadet Training
74 Program pursuant to §30-29-8 of this code, the West Virginia State Police may require of its
75 members by written agreement entered into with each of them in advance of such participation in
76 the program that, if a member should voluntarily discontinue employment any time within one year
77 immediately following completion of the training program, he or she shall be obligated to pay to the
78 West Virginia State Police a pro rata portion of such compensation equal to that part of such year
79 which the member has chosen not to remain in the employ of the West Virginia State Police.

80 ~~(j)~~ (k) Any member of the West Virginia State Police who is called to perform active duty
81 training or inactive duty training in the National Guard or any reserve component of the armed
82 forces of the United States annually shall be granted, upon request, leave time not to exceed 30
83 calendar days for the purpose of performing the active duty training or inactive duty training and
84 the time granted may not be deducted from any leave accumulated as a member of the West
85 Virginia State Police.

NOTE: The purpose of this bill is to provide an annual salary increase of \$3000 for members of the West Virginia State Police who are assigned and serving in field duty, beginning July 1, 2025.

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