

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 849

By Senator Willis

[Introduced March 20, 2025; referred
to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §15-2-5a, relating to enhanced pay for State Police troopers; setting out
3 legislative findings; defining terms; providing for market pay enhancement for state trooper
4 salaries in certain circumstances; providing for certification to State Auditor; setting out
5 distribution of funds; requiring reporting; making funds subject to personal income tax;
6 providing funds are in excess of minimum salary schedule; making enhancement not
7 subject to state grievance process; and providing for rulemaking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. WEST VIRGINIA STATE POLICE.

§15-2-5a. State minimum salary supplement for state troopers for market pay.

1 (a)(1) Findings --The Legislature finds that it has a constitutional requirement to provide the
2 citizens of this state with a thorough and efficient system of law enforcement. This requirement
3 mandates that the Legislature create and maintain a high-quality West Virginia State Police Force.

4 (2) To continue to offer our citizens a high-quality law enforcement, the Legislature
5 recognizes West Virginia must retain and attract certified State Police troopers in order to offer the
6 best available law enforcement to the citizens. To that end, the Legislature must address the issue
7 of West Virginia's regional disparity in cost of living by providing competitive, market-appropriate
8 pay.

9 (3) Lastly, the Legislature finds that certified State Police troopers throughout the state
10 should be compensated according to the regional market in which they provide law enforcement
11 services. Therefore, this section shall create market pay for certified State Police troopers based
12 on the median home price of the region in which they provide law enforcement services to
13 enhance the salary of certified State Police troopers whose base salary is not sufficiently
14 competitive to certified law enforcement officers' salaries in states near the West Virginia certified
15 State Police trooper's work location.

16 (b) Definitions -- For the purposes of this section, the terms defined in this section have the

meanings ascribed to them unless a different meaning is clearly required by the context in which the term is used:

"Agency" means the West Virginia State Police.

"Border State" shall mean any of the five states which border the state of West Virginia.

"Detachment" means a local law enforcement office or station that serves as the primary point of contact for the public and administers law enforcement functions within a specific geographic area.

"Market Pay Enhancement" shall mean the positive difference from subtracting the West Virginia Median Home Price from the Regional Median Home Price, dividing the sum by the West Virginia Median Home Price, and then multiplying that figure by the average law enforcement officer's salary in a county.

"Region" shall mean the county in which a State Police trooper is employed and each contiguous county to that county. A contiguous county may be a county in a border state.

"Regional Median Home Price" shall mean the average of the median home price of the county of employment and the counties contiguous to that county of employment of a State Police trooper as determined by the National Association of Realtors for the calendar year immediately preceding the calculation as required in this section.

"State Police trooper" shall mean any law enforcement officer working for the West Virginia State Police.

"West Virginia Median Home Price" means that figure as determined by the National Association of Realtors as the median home price in this state and shall be for the calendar year immediately preceding the calculation as required in this section.

(c) (1) Market pay for State Police trooper multiplier-- Beginning on January 1, 2026, and continuing on the first day of January every fifth year thereafter, the West Virginia State Police shall determine:

(A) The West Virginia median home price for the immediately preceding calendar year

43 based on data available from the National Association of Realtors; and

44 (B) The regional median home price for the immediately preceding calendar year based on
45 data available from the National Association of Realtors. A regional median home price shall be
46 calculated for each of West Virginia's 55 counties.

47 (2) These figures shall be used to determine the multiplier used to set the amount of a
48 market pay enhancement. In order to determine the multiplier, the State Police shall deduct the
49 West Virginia median home price from the regional median home price. This figure will then be
50 divided by the amount of the West Virginia median home price. This will set the multiplier. The
51 multiplier will be rounded down to the nearest whole percentage.

52 (d) Calculation of market pay enhancement. – Beginning July 15, 2026, and on July 15
53 every fifth year thereafter, the State Police shall determine the immediately preceding year's
54 average State Police trooper base salary in each of West Virginia's 55 counties. The multiplier as
55 determined by subsection (c) of this section shall be multiplied by the average State Police
56 trooper's base salary in each county. If the calculation results in a positive calculation, then
57 certified State Police troopers in that county shall receive that amount as a market pay
58 enhancement annually until the next year that the enhancement rate is redetermined. The State
59 Police shall certify to the State Auditor by March 31 of any year in which a calculation is required
60 pursuant to the provisions of this section that a lump sum, annual pay enhancement is required in
61 the appropriate counties. In providing the certification the State Police shall, for any impacted
62 county, provide:

63 (1) The calculations used to determine the multiplier;

64 (2) The West Virginia median home price;

65 (3) The regional median home price; and

66 (4) The amount of the enhancement for any impacted county.

67 (e) Distribution -- Beginning July 15, 2026, and on July 15 every year thereafter, the State
68 Auditor shall issue a distribution to all certified State Police troopers in any county requiring a

market pay enhancement. The distribution shall be in a lump sum in the amount of the market pay enhancement as determined by this section. The market pay enhancement for each county will be adjusted every five years. The purpose of this payment is to keep West Virginia certified State Police trooper salaries in higher cost of living markets competitive with State Police troopers in contiguous counties and border states to encourage certified State Police troopers to reside and work in West Virginia. The lump sum shall be subject to the personal income tax as set forth in §11-21-4g of this code. There is no right to a grievance for any market pay disparity for the same job classification.

(f) Applicability of payments --These payments:

(1) Shall be in addition to any amounts prescribed in the applicable State Minimum Salary Schedule, any specific additional amounts prescribed in this section and article and any county supplement in effect in a county pursuant to §18A-4-5a of this code; and

(2) Shall be paid in a lump sum as set forth in subsection (e) of this section.

(g) Reporting. — The State Police shall prepare a report in any year where a market pay enhancement calculation is required pursuant to the provisions of this section to the Joint Committee on Government and Finance detailing any relevant information regarding market pay enhancements for certified State Police troopers.

(h) Rulemaking. — Notwithstanding any provision of this code to the contrary, the State Police may propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code explaining and implementing this section.

NOTE: The purpose of this bill is to enhance pay for State Police troopers; provide for market pay enhancement for State Police trooper salaries in certain circumstances; provide for certification to the State Auditor; set out distribution of funds; require reporting; make funds subject to personal income tax; providing funds are in excess of minimum salary schedule; make enhancement not subject to state grievance process; 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.