

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5073

**FISCAL
NOTE**

By Delegate Statler

[Introduced February 03, 2026; referred to the
Committee on Finance]

1 A BILL to amend and reenact §7-14-13 of the Code of West Virginia, 1931, as amended, relating to
2 vacancies filled by deputy sheriffs; allowing seniority to follow deputies who transfer to
3 vacant positions unless there has been a wrongdoing at the county from where they are
4 transferring.

Be it enacted by the Legislature of West Virginia:

ARTICLE 14. CIVIL SERVICE FOR DEPUTY SHERIFFS.

§7-14-13. Vacancies filled by promotions; eligibility for promotion; rights of chief deputy.

1 Vacancies in positions of deputy sheriff shall be filled, so far as practicable, by promotion
2 from among persons holding positions in the next lower grade. When a vacancy for the position of
3 deputy sheriff is filled, the seniority of the deputy sheriff filling the position shall transfer with that
4 deputy sheriff: *Provided*, That the transferring deputy sheriff has not committed a wrongdoing at
5 the county from where he or she is being transferred. Promotions shall be based upon merit and
6 fitness, to be ascertained by competitive examinations to be provided by the civil service
7 commission, and upon the superior qualifications of the persons promoted, as shown by their
8 previous service and experience: *Provided, however* That, except for the chief deputy or jailer, no
9 person shall be eligible for promotion from the lower grade to the next higher grade until such
10 person shall have completed at least two years' service in the next lower grade: *Provided further*
11 *however*, That notwithstanding the provisions of section one of this article, any person occupying
12 the office of chief deputy or any deputy sheriff occupying the office of jailer pursuant to the
13 provisions of section two, article eight of this chapter in any such county on the effective date of
14 this article, or thereafter appointed to such office, shall, except as hereinafter provided in this
15 section, be and shall continue to be entitled to all of the rights and benefits of the provisions of this
16 article, except that he or she may be removed from such office of chief deputy or jailer without
17 cause and the time spent by such person in the office of such chief deputy or jailer shall be added
18 to the time, if any, served by such person during the entire time he or she was a deputy sheriff of
19 such county prior to his or her appointment as chief deputy or jailer, and shall in all cases of

20 removal, except for removal for just cause, retain the regular rank within said sheriff's office which
21 he or she held, if any, at the time of his or her appointment to the office of chief deputy or jailer or
22 which he or she has attained, if any, during his or her term of service as chief deputy or jailer. The
23 provisions of this section shall be construed to apply and to inure to the benefit of all persons who
24 have ever been subject to the provisions of this article. The commission shall have the power to
25 determine in each instance whether an increase in salary constitutes a promotion.

NOTE: The purpose of this bill is to transfer seniority with deputy sheriffs who transfer to vacant positions unless they have committed a wrongdoing at the county from where they are transferring.

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