

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5171

**FISCAL
NOTE**

By Delegates Dean, Chiarelli, Ferrell, Hanshaw (Mr.
Speaker), Mallow, Stephens, Sheedy, Hite, Eldridge,
Pinson, and Hornby

[Introduced February 04, 2026; referred to the
Committee on Finance]

1 A BILL to amend and reenact §7-7-4 of the Code of West Virginia, 1931, as amended, relating to
2 adjusting the salary schedules for elected county officials.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. COMPENSATION OF ELECTED COUNTY OFFICIALS.

**§7-7-4. Compensation of elected county officials and county commissioners for each class
of county; effective date.**

1 (1) The increased salaries to be paid to the county commissioners and the other elected
2 county officials described in this section on and after July 1, 2014, ~~and on and after July 1, 2022,~~
3 and on and after July 1, 2026 are set out in subsections (5) and (7) of this section. Every county
4 commissioner and elected county official in each county, whose term of office commenced prior to
5 or on or after July 1, 2014, shall receive the same annual salary by virtue of legislative findings of
6 extra duties as set forth in §7-7-1 of this code.

7 (2) Before the increased salaries, as set out in subsections (5) and (7) of this section, are
8 paid to the county commissioners and the elected county officials, the following requirements must
9 be met:

10 (A) The Auditor has certified that the fiscal condition of the county, considering costs,
11 revenues, liabilities, and significant trends of the same; maintenance standards; and the
12 commitment to the provision of county services has sufficiently improved over the previous fiscal
13 years so that there exists an amount sufficient for the payment of the increase in the salaries set
14 out in subsections (5) and (7) of this section and the related employment taxes: *Provided*, That the
15 Auditor may not provide the certification for the payment of the increase in the salaries where any
16 proposed annual county budget contains anticipated receipts which are unreasonably greater or
17 lesser than that of the previous year. For purposes of this subsection, the term "receipts" does not
18 include unencumbered fund balance or federal or state grants: *Provided, however*, That the
19 Auditor shall not be held liable for relying upon information and data provided by a county
20 commission in assessing the county's fiscal condition or a proposed annual county budget; and

(B) Each county commissioner or other elected official described in this section in office on the effective date of the increased salaries provided by this section who desires to receive the increased salary shall have prior to that date filed in the office of the clerk of the county commission his or her written request for the salary increase. The salary for the person who holds the office of county commissioner or other elected official described in this section who fails to file the written request as required by this subdivision shall be the salary for that office in effect immediately prior to the effective date of the increased salaries provided by this section until the person vacates the office or his or her term of office expires, whichever first occurs.

Any request for a salary increase shall use the following language:

I, [name of office holder], the duly elected [name of office] in and for the County of [name of county], West Virginia, do hereby request a salary increase pursuant to W. Va. Code §7-7-4 of this code, as amended. This salary increase is effective (_____).

[Signature of office holder]

[Date]

(3) If the Auditor has failed to certify that there is an amount sufficient for the payment of the increase in the salaries and the related employment taxes pursuant to this section, then the salaries of that county's elected officials and commissioners shall remain at the level in effect at the time certification was sought.

(4) In any county having a tribunal in lieu of a county commission, the county commissioners of that county may be paid less than the minimum salary limits of the county commission for that particular class of the county.

(5) Prior to July 1, 2014:

COUNTY COMMISSIONERS

Class I \$36,960

Class II \$36,300

Class III \$35,640

47	Class IV \$34,980
48	Class V \$34,320
49	Class VI \$28,380
50	Class VII \$27,720
51	Class VIII \$25,080
52	Class IX \$24,420
53	Class X \$19,800
54	After June 30, 2014:
55	COUNTY COMMISSIONERS
56	Class I \$41,395
57	Class II \$40,656
58	Class III \$39,917
59	Class IV \$39,178
60	Class V \$38,438
61	Class VI \$31,786
62	Class VII \$31,046
63	Class VIII \$28,090
64	Class IX \$27,350
65	Class X \$22,176
66	After June 30, 2022:
67	COUNTY COMMISSIONERS
68	Class I \$45,535
69	Class II \$44,722
70	Class III \$43,909
71	Class IV \$43,096
72	Class V \$42,282

73 Class VI \$34,965

74 Class VII \$34,151

75 Class VIII \$30,899

76 Class IX \$30,085

77 Class X \$24,394

78 After June 30, 2026:

79 COUNTY COMMISSIONERS

80 Class I \$53,731

81 Class II \$52,772

82 Class III \$51,813

83 Class IV \$50,853

84 Class V \$49,893

85 Class VI \$41,259

86 Class VII \$40,298

87 Class VIII \$36,461

88 Class IX \$35,500

89 Class X \$28,785

90 (6) For the purpose of determining the salaries to be paid to the elected county officials of
 91 each county, the salaries for each county office by class, set out in subsection (7) of this section,
 92 are established and shall be used by each county commission in determining the salaries of each
 93 of their county officials other than salaries of members of the county commission.

94 (7) Prior to July 1, 2014:

95 OTHER ELECTED OFFICIALS

	Sheriff	County Clerk	Circuit Clerk	Assessor	Prosecuting Attorney
Class I	\$44,880	\$55,440	\$55,440	\$44,880	\$96,600
Class II	\$44,220	\$54,780	\$54,780	\$44,220	\$94,400

Class III	\$43,890	\$53,460	\$53,460	\$43,890	\$92,200
Class IV	\$43,560	\$53,154	\$53,154	\$43,560	\$90,000
Class V	\$43,230	\$52,800	\$52,800	\$43,230	\$87,800
Class VI	\$42,900	\$49,500	\$49,500	\$42,900	\$59,400
Class VII	\$42,570	\$48,840	\$48,840	\$42,570	\$56,760
Class VIII	\$42,240	\$48,180	\$48,180	\$42,240	\$54,120
Class IX	\$41,910	\$47,520	\$47,520	\$41,910	\$50,160
Class X	\$38,280	\$42,240	\$42,240	\$38,280	\$46,200

96

97 After June 30, 2014:

98 OTHER ELECTED OFFICIALS

	Sheriff	County Clerk	Circuit Clerk	Assessor	Prosecuting Attorney
Class I	\$50,266	\$62,093	\$62,093	\$50,266	\$108,192
Class II	\$49,526	\$61,354	\$61,354	\$49,526	\$105,728
Class III	\$49,157	\$59,875	\$59,875	\$49,157	\$103,264
Class IV	\$48,787	\$59,536	\$59,536	\$48,787	\$100,800
Class V	\$48,418	\$59,136	\$59,136	\$48,418	\$98,336
Class VI	\$48,048	\$55,440	\$55,440	\$48,048	\$66,528
Class VII	\$47,678	\$54,701	\$54,701	\$47,678	\$63,571
Class VIII	\$47,309	\$53,962	\$53,962	\$47,309	\$60,614
Class IX	\$46,939	\$53,222	\$53,222	\$46,939	\$56,179
Class X	\$42,874	\$47,309	\$47,309	\$42,874	\$51,744

99

100 After June 30, 2022:

101 OTHER ELECTED OFFICIALS

	Sheriff	County Clerk	Circuit Clerk	Assessor	Prosecuting Attorney
Class I	\$56,793	\$68,302	\$68,302	\$56,793	\$119,011
Class II	\$55,979	\$67,489	\$67,489	\$55,979	\$116,301
Class III	\$55,573	\$65,863	\$65,863	\$55,573	\$113,590
Class IV	\$55,166	\$65,485	\$65,485	\$55,166	\$110,880
Class V	\$54,760	\$65,050	\$65,050	\$54,760	\$108,170
Class VI	\$54,353	\$60,984	\$60,984	\$53,853	\$73,181
Class VII	\$53,946	\$60,171	\$60,171	\$53,446	\$69,928
Class VIII	\$53,540	\$59,358	\$59,358	\$52,940	\$66,675
Class IX	\$53,133	\$58,544	\$58,544	\$52,533	\$61,797
Class X	\$48,661	\$52,040	\$52,040	\$47,811	\$56,918

102

103 After June 30, 2026:104 OTHER ELECTED OFFICIALS

	<u>Sheriff</u>	<u>County Clerk</u>	<u>Circuit Clerk</u>	<u>Assessor</u>	<u>Prosecuting Attorney</u>
<u>Class I</u>	<u>\$69,716</u>	<u>\$80,596</u>	<u>\$80,596</u>	<u>\$69,716</u>	<u>\$140,433</u>
<u>Class II</u>	<u>\$68,755</u>	<u>\$79,637</u>	<u>\$79,637</u>	<u>\$68,755</u>	<u>\$137,235</u>
<u>Class III</u>	<u>\$68,276</u>	<u>\$77,718</u>	<u>\$77,718</u>	<u>\$68,276</u>	<u>\$134,036</u>
<u>Class IV</u>	<u>\$67,796</u>	<u>\$77,272</u>	<u>\$77,272</u>	<u>\$67,796</u>	<u>\$130,838</u>
<u>Class V</u>	<u>\$67,317</u>	<u>\$76,759</u>	<u>\$76,759</u>	<u>\$67,317</u>	<u>\$127,641</u>
<u>Class VI</u>	<u>\$66,837</u>	<u>\$71,961</u>	<u>\$71,961</u>	<u>\$65,937</u>	<u>\$86,354</u>
<u>Class VII</u>	<u>\$66,356</u>	<u>\$71,002</u>	<u>\$71,002</u>	<u>\$65,456</u>	<u>\$82,515</u>
<u>Class VIII</u>	<u>\$65,877</u>	<u>\$70,042</u>	<u>\$70,042</u>	<u>\$64,797</u>	<u>\$78,677</u>
<u>Class IX</u>	<u>\$65,397</u>	<u>\$69,082</u>	<u>\$69,082</u>	<u>\$64,317</u>	<u>\$72,920</u>
<u>Class X</u>	<u>\$60,120</u>	<u>\$61,407</u>	<u>\$61,407</u>	<u>\$58,590</u>	<u>\$67,163</u>

105

106 (8) Any county clerk, circuit clerk, county assessor, prosecuting attorney, or sheriff of a

107 Class I through Class V county, inclusive, any assessor or any sheriff of a Class VI through Class

108 IX county, inclusive, shall devote full time to his or her public duties to the exclusion of any other

109 employment: *Provided*, That any public official whose term of office begins when his or her

110 county's classification imposes no restriction on his or her outside activities may not be restricted

111 on his or her outside activities during the remainder of the term for which he or she is elected.

NOTE: The purpose of this bill is to create a new salary schedule for county officials.

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