

# **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

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

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

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

33 [Signature of office holder]

34 [Date]

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

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

42 (5) Prior to July 1, 2014:

## 43 COUNTY COMMISSIONERS

44 Class I \$36,960

45 Class II \$36,300

46 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

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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

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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

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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>

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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.