

# **WEST VIRGINIA LEGISLATURE**

**2026 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 185**

BY SENATOR HELTON

[Reported February 13, 2026, from the Committee on  
the Judiciary]



1 A BILL to amend and reenact §7-14-1, §7-14-2, and §7-14-13 of the Code of West Virginia, 1931,  
2 as amended, relating to appointment of more than one chief deputy by the sheriff; and  
3 providing a definition.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 14. CIVIL SERVICE FOR DEPUTY SHERIFFS.**

**§7-14-1. Appointments and promotions of deputy sheriffs.**

1 Notwithstanding the provisions of ~~article three, chapter six, and article seven, chapter~~  
2 ~~seven~~ §6-3-1 et seq. and §7-7-1 et seq. of this code, the sheriff shall make all appointments and  
3 promotions of full-time deputy sheriffs ~~shall be made~~ only according to qualifications and fitness  
4 to be ascertained by examinations, which, so far as practicable, shall be competitive, as  
5 ~~hereinafter~~ provided. On and after the effective date of this article, no person except ~~the~~ a chief  
6 deputy shall be appointed, promoted, reinstated, removed, discharged, suspended, or reduced in  
7 rank or pay as a full-time deputy sheriff, as defined in ~~said section two~~ §7-14-2 of this code, of any  
8 county in the State of West Virginia subject to the provisions ~~hereof~~ of this code, in any manner  
9 or by any means other than those prescribed in this article.

**§7-14-2. Definitions; population.**

1 (a) For the purpose of this article:  
2 (4) "Appointing officer" or "appointing sheriff" ~~shall mean~~ means the sheriff of the county  
3 in which the appointment of a deputy sheriff ~~shall be~~ is made pursuant to this article;  
4 "Chief deputy" means persons appointed by the sheriff, subject to the advice and consent  
5 of the county commission, who are to assist the sheriff in supervising general law enforcement,  
6 who have the same authorities provided by law to deputy sheriffs, and who are not subject to the  
7 civil service requirements except as provided in §7-14-13 of this code. This definition does not  
8 limit the number of persons that a sheriff can appoint to the position of chief deputy if the county  
9 commission approves of the appointment.

10           (2) "Deputy sheriffs" or "deputies" ~~shall mean~~ means persons appointed by a sheriff as his  
11 or her deputies whose primary duties as ~~such~~ deputies are within the scope of active, general law  
12 enforcement and ~~as such~~ who are authorized to carry deadly weapons, patrol the highways,  
13 perform police functions, make arrests, or safeguard prisoners. This definition shall not be  
14 construed to include any person or persons whose sole duties shall be the service of civil process  
15 and subpoenas as provided in ~~section fourteen, article one, chapter fifty~~ §50-1-14 of this code,  
16 but such exclusion shall not preclude the service of civil process or subpoenas by deputy sheriffs  
17 covered by the provisions of this article.

18           (b) For the purpose of this article, population ~~shall be~~ is determined by reference to the  
19 last preceding census taken under the authority of the United States or of the Legislature of West  
20 Virginia.

**§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. Promotions shall be based upon  
3 merit and fitness, to be ascertained by competitive examinations to be provided by the civil service  
4 commission, and upon the superior qualifications of the persons promoted, as shown by their  
5 previous service and experience: *Provided*, That, except for ~~the~~ a chief deputy or jailer, ~~no~~ a  
6 person ~~shall~~ is not be eligible for promotion from the lower grade to the next higher grade until  
7 ~~such person shall have~~ he or she has completed at least two years' service in the next lower  
8 grade: *Provided, however*, That notwithstanding the provisions of ~~section one of this article~~ §7-14-  
9 1 of this code, any person occupying the office of chief deputy or any deputy sheriff occupying  
10 the office of jailer pursuant to the provisions of ~~section two, article eight of this chapter~~ §7-8-2 of  
11 this code in ~~any such~~ the county on the effective date of this article, or thereafter appointed to  
12 such office, shall, except as ~~hereinafter~~ provided in this section, be and shall continue to be  
13 entitled to all of the rights and benefits of the provisions of this article, except that he or she may  
14 be removed from ~~such~~ the office of chief deputy or jailer without cause and the time spent by ~~such~~

15 ~~that~~ person in the office of ~~such~~ chief deputy or jailer shall be added to the time, if any, served by  
16 ~~such~~ that person during the entire time he or she was a deputy sheriff of ~~such~~ the county prior to  
17 his or her appointment as chief deputy or jailer, and shall in all cases of removal, except for  
18 removal for just cause, retain the regular rank within ~~said~~ the sheriff's office which he or she held,  
19 if any, at the time of his or her appointment to the office of chief deputy or jailer or which he or she  
20 has attained, if any, during his or her term of service as chief deputy or jailer. The provisions of  
21 this section shall be construed to apply and to inure to the benefit of all persons who have ever  
22 been subject to the provisions of this article. The commission ~~shall have the power~~ may ~~to~~  
23 determine in each instance whether an increase in salary constitutes a promotion.

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