

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

### **Committee Substitute**

**for**

### **Senate Bill 587**

By Senators Clements, Chapman, Charnock, Deeds,  
Grady, Hamilton, Helton, Phillips, Takubo, Tarr,  
Thorne, Morris, Rose, Weld, Roberts, and Z. Maynard  
[Reported February 24, 2026, from the Committee on  
Government Organization]

1 A BILL to amend and reenact §7-7-1 and §7-7-4 of the Code of West Virginia, 1931, as amended,  
2 relating to adjusting the salary schedules for elected county officials; eliminating  
3 duplicative budget certification by State Auditor; adding sheriffs and assessor  
4 commissions in future salary computation; and adding mechanism for future salary  
5 increases.

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

**ARTICLE 7. COMPENSATION OF ELECTED COUNTY OFFICIALS.**

**§7-7-1. Legislative findings and purpose.**

1 (a) The Legislature finds that it has, since January 1, ~~2015~~ 2023, consistently and annually  
2 imposed upon the county commissioners, sheriffs, county and circuit clerks, assessors, and  
3 prosecuting attorneys in each county new and additional duties by the enactment of new  
4 provisions and amendments to this code. The new and additional duties imposed upon the  
5 aforesaid county officials by these enactments are such that they would justify the increases in  
6 compensation as provided in §7-7-4 of this code, without violating the provisions of W. Va. Const.  
7 Art. VI, §38.

8 (b) The Legislature further finds that there are, from time to time, additional duties imposed  
9 upon all county officials through the acts of the Congress of the United States and that such acts  
10 constitute new and additional duties for county officials and, as such, justify the increases in  
11 compensation as provided by §7-7-4 of this code, without violating the provisions of W. Va. Const.  
12 Art. VI, §38.

13 (c) The Legislature further finds that there is a direct correlation between the total assessed  
14 property valuations of a county on which the salary levels of the county commissioners, sheriffs,  
15 county and circuit clerks, assessors, and prosecuting attorneys are based, and the new and  
16 additional duties that each of these officials is required to perform as they serve the best interests  
17 of their respective counties. Inasmuch as the reappraisal of the property valuations in each county  
18 has now been accomplished, the Legislature finds that a change in classification of counties by

19 virtue of increased property valuations will occur on an infrequent basis. However, it is the further  
20 finding of the Legislature that when such change in classification of counties does occur, that new  
21 and additional programs, economic developments, requirements of public safety and the need for  
22 new services provided by county officials all increase, that the same constitute new and additional  
23 duties for county officials as their respective counties reach greater heights of economic  
24 development, as exemplified by the substantial increases in property valuations and, as such,  
25 justify the increases in compensation provided in §7-7-4 of this code, without violating the  
26 provisions of W. Va. Const. Art. VI, §38.

27 (d) The Legislature further finds and declares that the amendments enacted to this article  
28 are intended to modify the provisions of this article so as to cause the same to be in full compliance  
29 with the provisions of the Constitution of West Virginia and to be in full compliance with the  
30 decisions of the Supreme Court of Appeals of West Virginia.

**§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) (2)~~ and ~~(7) (4)~~ of this section. Every  
4 county commissioner and elected county official in each county, whose term of office commenced  
5 prior to or on or after July 1, 2014, shall receive the same annual salary by virtue of legislative  
6 findings of 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)~~ (2) 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

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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 \$50,999

81 Class II \$50,089

82 Class III \$49,178

83 Class IV \$48,268

84 Class V \$47,356

85 Class VI \$39,161

86 Class VII \$38,249

87 Class VIII \$34,607

88 Class IX \$33,695

89 Class X \$27,321

90 (6) (3) For the purpose of determining the salaries to be paid to the elected county officials

91 of each county, the salaries for each county office by class, set out in subsection ~~(7)~~ (4) of this  
 92 section, are established and shall be used by each county commission in determining the salaries  
 93 of each of their county officials other than salaries of members of the county commission.

94 ~~(7)~~ (4) 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 After June 30, 2014:

97 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

98 After June 30, 2022:

99 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

100 After June 30, 2026:

101 OTHER ELECTED OFFICIALS

	<u>Sheriff</u>	<u>County Clerk</u>	<u>Circuit Clerk</u>	<u>Assessor</u>	<u>Prosecuting Attorney</u>
Class I	\$65,408	\$76,498	\$76,498	\$65,408	\$133,292
Class II	\$64,496	\$75,588	\$75,588	\$64,496	\$130,257
Class III	\$64,042	\$73,767	\$73,767	\$64,042	\$127,221
Class IV	\$63,586	\$73,343	\$73,343	\$63,586	\$124,186
Class V	\$63,131	\$72,856	\$72,856	\$63,131	\$121,150
Class VI	\$62,675	\$68,302	\$68,302	\$62,675	\$81,963
Class VII	\$62,220	\$67,392	\$67,392	\$62,220	\$78,319
Class VIII	\$61,765	\$66,481	\$66,481	\$61,765	\$74,676
Class IX	\$61,309	\$65,569	\$65,569	\$61,309	\$69,213
Class X	\$56,300	\$58,285	\$58,285	\$56,300	\$63,748

102 Provided, That the salary amounts used to determine any increases in compensation for elected  
 103 county officials, as provided for in subsection (6) of this section, shall include any additional  
 104 compensation received by those public officials pursuant to §7-7-6b and §11A-1-17 of this code.

105 ~~(8)~~ (5) Any county clerk, circuit clerk, county assessor, prosecuting attorney, or sheriff of a  
 106 Class I through Class V county, inclusive, any assessor or any sheriff of a Class VI through Class  
 107 IX county, inclusive, shall devote full time to his or her public duties to the exclusion of any other  
 108 employment: *Provided*, That any public official whose term of office begins when his or her  
 109 county’s classification imposes no restriction on his or her outside activities may not be restricted  
 110 on his or her outside activities during the remainder of the term for which he or she is elected.

111 (6) On March 1, 2028, and every second year after that, the county commission of each  
 112 county shall review the current salaries of all elected county officials who prevailed in the  
 113 preceding general election and commenced a new full term of office and determine if the proposed  
 114 annual county budget for the fiscal year beginning July 1, 2028, has increased over the previous  
 115 fiscal year in an amount sufficient for the payment of an increase in the salaries and the related  
 116 employment taxes of all elected county officials who prevailed in the preceding general election

117 and commenced a new full term of office by no less than two percent or a percentage not to  
118 exceed five percent per annum since the last increase in the compensation.

119 (7) If the proposed annual county budget for the fiscal year beginning July 1, 2028, has  
120 increased over the previous fiscal year in an amount sufficient for the payment of an increase in  
121 the salaries and the related employment taxes of all elected county officials who prevailed in the  
122 preceding general election and commenced a new full term of office then the county commission  
123 shall fix the salary of all elected county officials who prevailed in the preceding general election  
124 and commenced a new full term of office at an annual rate of salary to which the elected county  
125 official is entitled pursuant to the effective salary upon commencement of a new term of office  
126 including an increase of no less than two percent but not to exceed five percent per annum since  
127 the last increase in the compensation.

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