

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 945**

By Senator Weld

[Introduced February 16, 2026; referred  
to the Committee on Military]

1 A BILL to amend and reenact §15-1J-5 of the Code of West Virginia, 1931, as amended, relating to  
 2 providing the military authority to hire, administer, and manage employees; and giving the  
 3 Adjutant General authority to pay employees during a federal government shutdown.

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

**Article 1J. THE WEST VIRGINIA MILITARY AUTHORITY ACT.**

**ARTICLE 1J. THE WEST VIRGINIA MILITARY AUTHORITY ACT.**

**§15-1J-5. Employees.**

1 (a) The authority ~~shall have the power to~~ may hire, administer and manage employees  
 2 necessary to fulfill its responsibilities.

3 (1) All employees ~~will be~~ are exempt from both the classified services category and the  
 4 classified exempt services category as set forth in §29-6-4 of this code.

5 (2) Employee positions are contingent on the receipt of the necessary federal and/or state  
 6 funds.

7 (3) Each employee hired shall be deemed an at-will employee who may be discharged or  
 8 released from his or her respective position without cause or reason.

9 (4) Employees will participate in the PEIA, PERS and workers' compensation and  
 10 unemployment compensation programs, or their equivalents. Public safety-related positions will  
 11 continue to require dual status membership as outlined in §15-1B-26 of this code.

12 (b) The Adjutant General will set appropriate salary rates for employees equivalent to a  
 13 competitive wage rate necessary to support a specific mission. If there is a federal government  
 14 shutdown, furlough or similar action, the Adjutant General may pay employees who worked during  
 15 the period of such shutdown or furlough once federal funds are received for that period.

16 (c) Security guards and military firefighters hired by the authority under the provisions of  
 17 this article will continue to have the same authority and must meet the requirements as set forth in  
 18 §15-1B-22 of ~~said article~~ this code.

NOTE: The purpose of this bill is to permit the Adjutant General to pay employees during a federal government shutdown or furlough.

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