

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Engrossed

Committee Substitute

for

Senate Bill 945

BY SENATORS WELD AND DEEDS

[Reported February 20, 2026, from the Committee on
the Military]

1 A BILL to amend and reenact §15-1J-5 of the Code of West Virginia, 1931, as amended, relating
2 to the West Virginia Military Authority; and authorizing the Adjutant General to pay
3 authority employees working during a federal government shutdown.

Be it enacted by the Legislature of West Virginia:

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~~ shall set appropriate salary rates for employees equivalent
13 to a competitive wage rate necessary to support a specific mission. If there is a federal
14 government shutdown, furlough, or similar action, the Adjutant General may pay any furloughed
15 employees during the period of such shutdown or furlough once federal funds are received for
16 that period.

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