

SB 518 S

FILED

2004 APR -2 P 4: 01

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
*REGULAR SESSION, 2004*



**ENROLLED**

*COMMITTEE SUBSTITUTE FOR*  
SENATE BILL NO. 518

(By Senator McCABE, ET AL)



PASSED MARCH 13, 2004

In Effect 90 Days From Passage

FILED

2004 APR -2 P 4: 01

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

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COMMITTEE SUBSTITUTE

FOR

**Senate Bill No. 518**

(SENATORS MCCABE, WHITE, BOWMAN,  
UNGER AND DEMPSEY, *original sponsors*)

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[Passed March 13, 2004; in effect ninety days from passage.]

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AN ACT to amend and reenact §8-14-2a of the code of West Virginia, 1931, as amended; and to amend and reenact §8-15-10a of said code, all relating to policemen and firemen who are required to work during holidays; and compensation.

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

That §8-14-2a of the code of West Virginia, 1931, as amended, be amended and reenacted; and that §8-15-10a of said code be amended and reenacted, all to read as follows:

**ARTICLE 14. LAW AND ORDER; POLICE FORCE OR DEPARTMENTS;  
POWERS, AUTHORITY AND DUTIES OF LAW-EN-  
FORCEMENT OFFICIALS AND POLICEMEN; POLICE  
MATRONS; SPECIAL SCHOOL ZONE AND PARKING  
LOT OR PARKING BUILDING POLICE OFFICERS; CIVIL  
SERVICE FOR CERTAIN POLICE DEPARTMENTS.**

**§8-14-2a. Policemen who are required to work during holidays;  
how compensated.**

1 From the effective date of this section, if any municipal  
2 police officer is required to work during a legal holiday as  
3 is specified in subsection (a), section one, article two,  
4 chapter two of this code, or if a legal holiday falls on the  
5 police officer's regular scheduled day off, he or she is  
6 allowed equal time off at a time as may be approved by the  
7 chief of police under whom he or she serves or, in the  
8 alternative, shall be paid at a rate not less than one and  
9 one-half times his or her regular rate of pay: *Provided,*  
10 That if a special election of a political subdivision other  
11 than a municipality falls on a Saturday or Sunday, the  
12 municipality may choose not to recognize the day of the  
13 election as a holiday if a majority of the municipality's city  
14 council votes not to recognize the day of the election as a  
15 holiday.

**ARTICLE 15. FIREFIGHTING; FIRE COMPANIES AND DEPARTMENTS;  
CIVIL SERVICE FOR PAID FIRE DEPARTMENTS.**

**§8-15-10a. Firemen who are required to work during holidays;  
how compensated.**

1 From the effective date of this section, if any member of  
2 a paid fire department is required to work during a legal  
3 holiday as is specified in subsection (a), section one, article  
4 two, chapter two of this code, or if a legal holiday falls on  
5 the member's regular scheduled day off, he or she shall be  
6 allowed equal time off at such time as may be approved by  
7 the chief executive officer of the department under whom  
8 he or she serves or, in the alternative, shall be paid at a  
9 rate not less than one and one-half times his or her regular  
10 rate of pay: *Provided,* That if a special election of a  
11 political subdivision other than a municipality falls on a  
12 Saturday or Sunday, the municipality may choose not to  
13 recognize the day of the election as a holiday if a majority  
14 of the municipality's city council votes not to recognize the  
15 day of the election as a holiday.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Lucy M. ...*  
.....  
Chairman Senate Committee

*Greg Butcher*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Barrett ...*  
.....  
Clerk of the Senate

*Lucy M. ...*  
.....  
Clerk of the House of Delegates

*Carl Ray Tomblin*  
.....  
President of the Senate

*Robert ...*  
.....  
Speaker House of Delegates

The within is approved this the 2nd  
Day of April ....., 2004.

*Bob Wise*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

Date 4-1-02

Time 10:00 AM