

1 **Senate Bill No. 351**

2 (By Senators Unger and Beach)

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4 [Introduced February 22, 2013; referred to the Committee on  
5 Government Organization.]

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10 A BILL to amend and reenact §29-6-27 of the Code of West Virginia,  
11 1931, as amended, relating to donation of sick leave for  
12 certain eligible employees.

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

14 That §29-6-27 of the Code of West Virginia, 1931, as amended,  
15 be amended and reenacted to read as follows:

16 **ARTICLE 6. CIVIL SERVICE SYSTEM.**

17 **§29-6-27. Leave donation program.**

18 The Division of Personnel after consultation with other state  
19 agencies shall establish a program under which annual leave and  
20 sick leave accrued or accumulated by an employee of an agency may,  
21 if voluntarily agreed to by the employee, be transferred to the  
22 annual leave account of another designated employee if the other  
23 employee requires additional leave because of a medical emergency.

1 An employee may be eligible to donate accrued sick leave if the  
2 donated sick leave will not reduce the employee's sick leave  
3 balance below twenty days. The annual and sick leave donation  
4 program shall be established by legislative rule pursuant to the  
5 provisions of article three, chapter twenty-nine-a of this code.  
6 ~~The Division of Personnel shall file such legislative rule no later~~  
7 ~~than July 15, 1995.~~ The division shall prepare an annual status  
8 report to be presented to the Joint Committee on Government and  
9 Finance no later than January 5, each year. A "medical emergency"  
10 means a medical condition of an employee or a family member of the  
11 employee that is likely to require the prolonged absence of the  
12 employee from duty and which will result in a substantial loss of  
13 income to the employee because of the unavailability of paid leave.  
14 As used in this section, "employee" includes employees in the  
15 classified and classified-exempt service and employees exempt from  
16 coverage who are under this article entitled to annual and sick  
17 leave as a benefit of employment: *Provided,* That none of the leave  
18 so transferred may be used to qualify for or add to service for any  
19 retirement system administered by the State of West Virginia.

NOTE: The purpose of this bill is to allow certain eligible employees to donate accumulated sick leave to other employees who are eligible to participate in the leave donation program.

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