

COMMITTEE SUBSTITUTE

FOR

**Senate Bill No. 322**

(By Senators Kessler (Mr. President) and M. Hall,  
By Request of the Executive)

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[Originating in the Committee on Finance;  
reported February 12, 2014.]

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A BILL to amend and reenact §6-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing state agencies, state institutions of higher education and the Higher Education Policy Commission to transition all employees, officers and officials, except elected officials, into payment in arrears and to pay employees biweekly as part of the standardization of the state's accounting and payroll functions under the Enterprise Resource Planning Board.

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

That §6-7-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 7. COMPENSATION AND ALLOWANCES.**

**§6-7-1. State officials, officers and employees to be paid at least twice per month; new employees paid in arrears; effective date.**

1 All full-time and part-time salaried and hourly officials,  
2 officers and employees of the state, state institutions of  
3 higher education and the Higher Education Policy  
4 Commission shall be paid at least twice per month, and under  
5 the same procedures and in the same manner as the State  
6 Auditor currently pays agencies: *Provided*, That on and after  
7 July 1, 2002, all new officials, officers and employees of the  
8 state, a state institution of higher education and the Higher  
9 Education Policy Commission, statutory officials, contract  
10 educators with higher education and any exempt official who  
11 does not earn annual and sick leave, except elected officials,  
12 shall be paid one pay cycle in arrears. The term “new  
13 employee” does not include an employee who transfers from

14 one state agency, a state institution of higher education or the  
15 Higher Education Policy Commission to another state  
16 agency, another state institution of higher education or the  
17 Higher Education Policy Commission without a break in  
18 service: Provided, however, That, after July 1, 2014, all state  
19 employees paid on a current basis will be converted to  
20 payment in arrears. For accounting purposes only, any  
21 payments received by such employees at the end of the pay  
22 cycle of the conversion pay period will be accounted for as  
23 a credit due the state. Notwithstanding any other code  
24 provision to the contrary, any such credit designation made  
25 for accounting of this conversion will be accounted for by the  
26 Auditor at the termination of an employee's employment and  
27 such accounting shall be documented in the employee's final  
28 wage payment. Nothing contained in this section is intended  
29 to increase or diminish the salary or wages of any official,  
30 officer or employee.