

# **WEST VIRGINIA LEGISLATURE**

## **2018 REGULAR SESSION**

**Introduced**

### **House Bill 4032**

BY DELEGATE FOLK

[Introduced January 11, 2018; Referred  
to the Committee on the Judiciary then Finance]

1 A BILL to amend and reenact §4-2A-2 of the Code of West Virginia, 1931, as amended, relating  
2 to withholding pay of a legislator who misses an entire floor session; exception.

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

**ARTICLE 2A. COMPENSATION FOR AND EXPENSES OF MEMBERS OF THE  
LEGISLATURE.**

PART II

COMPENSATION

**§4-2A-2. Basic compensation for services; proration.**

1 (a) Beginning in the calendar year 2009 and for each calendar year after that, each  
2 member of the Legislature shall receive as basic compensation for his or her services the sum of  
3 \$20,000 per calendar year, to be paid as provided in subsection (b) of this section. In addition to  
4 the basic compensation, members shall receive the additional compensations as are expressly  
5 provided in sections three, four and five of this article. All other increased amounts or new  
6 amounts in respect to the compensation of members of the Legislature, set forth in the resolution  
7 of the Citizens Legislative Compensation Commission, dated January 9, 2007, and implemented  
8 in sections two, four, six and eight of this article providing for new amounts or amounts increased  
9 to new amounts greater than those in force and effect on January 1, 2007, become effective for  
10 calendar year 2009 and each calendar year after that: *Provided*, That increased amounts or new  
11 amounts in respect to the expenses of members of the Legislature, set forth in said resolution,  
12 and implemented in sections six and eight of this article providing for new amounts or amounts  
13 increased to new amounts greater than those in force and effect on January 1, 2007, become  
14 effective for calendar year 2008 and each calendar year after that.

15 (b) The basic compensation is payable as follows:

16 (1) In the year 2009, and every fourth year after that:

17 (A) Five thousand dollars in each of February, March and April, payable at least twice per

18 month; and

19 (B) Six hundred twenty-five dollars in each of January, May, June, July, August,  
20 September, October and November, payable at least twice per month;

21 (2) Beginning in 2010, in all years except those described in subdivision (1) of this  
22 subsection:

23 (A) Five thousand dollars in each of January, February and March, payable at least twice  
24 per month; and

25 (B) Six hundred twenty-five dollars in each of April, May, June, July, August, September,  
26 October and November, payable at least twice per month.

27 (c) In the event of the death, resignation or removal of a member of the Legislature and  
28 the appointment and qualification of his or her successor, the compensation provided in this  
29 section for the month in which the death, resignation or removal of the member of the Legislature  
30 occurs shall be prorated between the original member and his or her successor on the basis of  
31 the number of days served, including Saturdays and Sundays in the month.

32 (d) One sixtieth of pay provided in subsection (a) of this section shall be withheld from any  
33 member of the Legislature for each day that he or she misses an entire floor session, except for  
34 a member attending a conference committee meeting that prevents the member from attending  
35 the floor session.

NOTE: The purpose of this bill is to dock the pay of a member of the Legislature who misses an entire floor session.

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