

# **WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 213**

By Senator Clements

[Originating in the Committee on Government  
Organization; reported on February 10, 2023]

1 A BILL to amend and reenact §30-29-8 of the Code of West Virginia, 1931, as amended, relating to  
2 responsibility for reimbursement of training costs of law-enforcement employees who  
3 leave original jurisdiction of employment for employment in another law-enforcement  
4 agency in this state.

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

**ARTICLE 29. LAW-ENFORCEMENT TRAINING AND CERTIFICATION.**

**§30-29-8. Compensation for employees attending law-enforcement training academy;  
limitations; agreements to reimburse employers for wages and expenses of  
employees trained but not continuing employment.**

1 (a) A West Virginia law-enforcement agency shall, and a governing board may, pay  
2 compensation to employees, including wages, salaries, benefits, tuition, and expenses, for the  
3 employees' attendance at a law-enforcement training academy. The compensation paid to the  
4 employees for such attendance may not include overtime compensation under the provisions of  
5 §21-5C-3 of this code and shall be at the regular rate to which each employee would be entitled for  
6 a workweek of 40 hours in regular employment with the employer.

7 (b) In consideration for such compensation, the governing board, hospital, county  
8 commission, or municipal government may require each employee to enter into a written  
9 agreement in advance of such attendance that obligates the employee to repay the employer if he  
10 or she voluntarily discontinues employment within one year immediately following completion of  
11 the training curriculum: Provided, That, for employees of West Virginia law-enforcement  
12 agencies, the term "voluntarily discontinues employment" includes, but is not limited to,  
13 employees who voluntarily resign, and employees who leave the jurisdiction of their employment  
14 following the completion of their training for employment in any other law-enforcement agency  
15 within the state. The amount of repayment shall be a pro rata portion of the total compensation  
16 which is equal to the portion of the year which the employee chose not to remain employed.

17 (c) If a law-enforcement employee leaves the jurisdiction of his or her employment within

18 one year immediately following completion of training for employment in any other law-  
19 enforcement agency within this state, the new jurisdiction is responsible for reimbursement of  
20 wages, salaries, benefits, tuition, and expenses paid by a West Virginia law-enforcement agency  
21 or governing board for the employee's attendance at a law-enforcement training academy, with the  
22 reimbursement to be paid to the governing board, paid pro rata over a period of two years:  
23 *Provided*, That if the law-enforcement employee entered into a written agreement with his original  
24 employer pursuant to subsection (b) of this section, any amount that the officer repays his or her  
25 original employer shall be credited against the total reimbursement to be paid by the new  
26 jurisdiction under this subsection.

27       ~~(e)~~ (d) As used in this section, "governing board" has the meaning ascribed in §18B-1-2 of  
28 this code.