

# WEST VIRGINIA LEGISLATURE

## 2024 REGULAR SESSION

Introduced

### House Bill 4331

FISCAL  
NOTE

By Delegate Toney

[Introduced January 10, 2024 ; Referred  
to the Committee on Education then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §18A-4-10b, relating to providing an optional lump sum payment of accrued  
 3 personal leave to full-time employees of a county school board upon termination of full-  
 4 time employment.

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

**ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.**

**§18A-4-10b. Optional payment to employee in lump sum amount for accrued and unused**  
**leave at termination of employment; no withholding of any employee contribution**  
**deduction; \_\_\_\_\_ exception.**

1 Every full-time employee of a county board, at the time his or her active employment ends  
 2 due to resignation, death, retirement or otherwise, may be paid in a lump sum amount, at the  
 3 option of the employee or, if due to the death of the employee, the personal representative of the  
 4 estate of the employee, for accrued and unused personal leave at the employee's usual rate of pay  
 5 at the time the employment ends. The lump sum payment shall be made by the time of what would  
 6 have been the employee's next regular payday had his or her employment continued. In  
 7 determining the amount of leave entitlement, weekends, holidays or other periods of normal,  
 8 noncountable time shall be excluded, and no deductions may be made for contributions toward  
 9 retirement from lump sum payments for unused, accrued leave of any kind or character, since no  
 10 period of service credit is granted in relation thereto; however, lump sum payment for unused,  
 11 accrued leave of any kind or character may not be a part of final average salary computation.

NOTE: The purpose of this bill is to provide an optional lump sum payment of accrued personal leave to full-time employees of a county school board upon termination of full-time employment.

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