

WEST VIRGINIA CODE: §7-7-4

§7-7-4. Compensation of elected county officials and county commissioners for each class of county; effective date.

(1) The increased salaries to be paid to the county commissioners and the other elected county officials described in this section on and after July 1, 2014, and on and after July 1, 2022, are set out in subsections (5) and (7) of this section. Every county commissioner and elected county official in each county, whose term of office commenced prior to or on or after July 1, 2014, shall receive the same annual salary by virtue of legislative findings of extra duties as set forth in §7-7-1 of this code.

(2) Before the increased salaries, as set out in subsections (5) and (7) of this section, are paid to the county commissioners and the elected county officials, the following requirements must be met:

(A) The Auditor has certified that the fiscal condition of the county, considering costs, revenues, liabilities, and significant trends of the same; maintenance standards; and the commitment to the provision of county services has sufficiently improved over the previous fiscal years so that there exists an amount sufficient for the payment of the increase in the salaries set out in subsections (5) and (7) of this section and the related employment taxes: *Provided*, That the Auditor may not provide the certification for the payment of the increase in the salaries where any proposed annual county budget contains anticipated receipts which are unreasonably greater or lesser than that of the previous year. For purposes of this subsection, the term "receipts" does not include unencumbered fund balance or federal or state grants: *Provided, however*, That the Auditor shall not be held liable for relying upon information and data provided by a county commission in assessing the county's fiscal condition or a proposed annual county budget; and

(B) Each county commissioner or other elected official described in this section in office on the effective date of the increased salaries provided by this section who desires to receive the increased salary shall have prior to that date filed in the office of the clerk of the county commission his or her written request for the salary increase. The salary for the person who holds the office of county commissioner or other elected official described in this section who fails to file the written request as required by this subdivision shall be the salary for that office in effect immediately prior to the effective date of the increased salaries provided by this section until the person vacates the office or his or her term of office expires, whichever first occurs.

Any request for a salary increase shall use the following language:

I, [name of office holder], the duly elected [name of office] in and for the County of [name of county], West Virginia, do hereby request a salary increase pursuant to W. Va. Code §7-7-4 of this code, as amended. This salary increase is effective (_____).

[Signature of office holder]

[Date]

(3) If the Auditor has failed to certify that there is an amount sufficient for the payment of the increase in the salaries and the related employment taxes pursuant to this section, then the salaries of that county's elected officials and commissioners shall remain at the level in effect at the time certification was sought.

(4) In any county having a tribunal in lieu of a county commission, the county commissioners of that county may be paid less than the minimum salary limits of the county commission for that particular class of the county.

(5) Prior to July 1, 2014:

COUNTY COMMISSIONERS

| | |
|------------|----------|
| Class I | \$36,960 |
| Class II | \$36,300 |
| Class III | \$35,640 |
| Class IV | \$34,980 |
| Class V | \$34,320 |
| Class VI | \$28,380 |
| Class VII | \$27,720 |
| Class VIII | \$25,080 |
| Class IX | \$24,420 |
| Class X | \$19,800 |

After June 30, 2014:

COUNTY COMMISSIONERS

| | |
|------------|----------|
| Class I | \$41,395 |
| Class II | \$40,656 |
| Class III | \$39,917 |
| Class IV | \$39,178 |
| Class V | \$38,438 |
| Class VI | \$31,786 |
| Class VII | \$31,046 |
| Class VIII | \$28,090 |
| Class IX | \$27,350 |
| Class X | \$22,176 |

After June 30, 2022:

COUNTY COMMISSIONERS

| | |
|-----------|----------|
| Class I | \$45,535 |
| Class II | \$44,722 |
| Class III | \$43,909 |

| | |
|------------|----------|
| Class IV | \$43,096 |
| Class V | \$42,282 |
| Class VI | \$34,965 |
| Class VII | \$34,151 |
| Class VIII | \$30,899 |
| Class IX | \$30,085 |
| Class X | \$24,394 |

(6) For the purpose of determining the salaries to be paid to the elected county officials of each county, the salaries for each county office by class, set out in subsection (7) of this section, are established and shall be used by each county commission in determining the salaries of each of their county officials other than salaries of members of the county commission.

(7) Prior to July 1, 2014:

OTHER ELECTED OFFICIALS

| | Sheriff | County Clerk | Circuit Clerk | Assessor | Prosecuting Attorney |
|------------|----------------|---------------------|----------------------|-----------------|-----------------------------|
| Class I | \$44,880 | \$55,440 | \$55,440 | \$44,880 | \$96,600 |
| Class II | \$44,220 | \$54,780 | \$54,780 | \$44,220 | \$94,400 |
| Class III | \$43,890 | \$53,460 | \$53,460 | \$43,890 | \$92,200 |
| Class IV | \$43,560 | \$53,154 | \$53,154 | \$43,560 | \$90,000 |
| Class V | \$43,230 | \$52,800 | \$52,800 | \$43,230 | \$87,800 |
| Class VI | \$42,900 | \$49,500 | \$49,500 | \$42,900 | \$59,400 |
| Class VII | \$42,570 | \$48,840 | \$48,840 | \$42,570 | \$56,760 |
| Class VIII | \$42,240 | \$48,180 | \$48,180 | \$42,240 | \$54,120 |
| Class IX | \$41,910 | \$47,520 | \$47,520 | \$41,910 | \$50,160 |
| Class X | \$38,280 | \$42,240 | \$42,240 | \$38,280 | \$46,200 |

After June 30, 2014:

OTHER ELECTED OFFICIALS

| | Sheriff | County Clerk | Circuit Clerk | Assessor | Prosecuting Attorney |
|------------|----------------|---------------------|----------------------|-----------------|-----------------------------|
| Class I | \$50,266 | \$62,093 | \$62,093 | \$50,266 | \$108,192 |
| Class II | \$49,526 | \$61,354 | \$61,354 | \$49,526 | \$105,728 |
| Class III | \$49,157 | \$59,875 | \$59,875 | \$49,157 | \$103,264 |
| Class IV | \$48,787 | \$59,536 | \$59,536 | \$48,787 | \$100,800 |
| Class V | \$48,418 | \$59,136 | \$59,136 | \$48,418 | \$98,336 |
| Class VI | \$48,048 | \$55,440 | \$55,440 | \$48,048 | \$66,528 |
| Class VII | \$47,678 | \$54,701 | \$54,701 | \$47,678 | \$63,571 |
| Class VIII | \$47,309 | \$53,962 | \$53,962 | \$47,309 | \$60,614 |
| Class IX | \$46,939 | \$53,222 | \$53,222 | \$46,939 | \$56,179 |
| Class X | \$42,874 | \$47,309 | \$47,309 | \$42,874 | \$51,744 |

After June 30, 2022:

OTHER ELECTED OFFICIALS

| | Sheriff | County Clerk | Circuit Clerk | Assessor | Prosecuting Attorney |
|------------|----------|--------------|---------------|----------|----------------------|
| Class I | \$56,793 | \$68,302 | \$68,302 | \$56,793 | \$119,011 |
| Class II | \$55,979 | \$67,489 | \$67,489 | \$55,979 | \$116,301 |
| Class III | \$55,573 | \$65,863 | \$65,863 | \$55,573 | \$113,590 |
| Class IV | \$55,166 | \$65,485 | \$65,485 | \$55,166 | \$110,880 |
| Class V | \$54,760 | \$65,050 | \$65,050 | \$54,760 | \$108,170 |
| Class VI | \$54,353 | \$60,984 | \$60,984 | \$53,853 | \$73,181 |
| Class VII | \$53,946 | \$60,171 | \$60,171 | \$53,446 | \$69,928 |
| Class VIII | \$53,540 | \$59,358 | \$59,358 | \$52,940 | \$66,675 |
| Class IX | \$53,133 | \$58,544 | \$58,544 | \$52,533 | \$61,797 |
| Class X | \$48,661 | \$52,040 | \$52,040 | \$47,811 | \$56,918 |

(8) Any county clerk, circuit clerk, county assessor, prosecuting attorney, or sheriff of a Class I through Class V county, inclusive, any assessor or any sheriff of a Class VI through Class IX county, inclusive, shall devote full time to his or her public duties to the exclusion of any other employment: *Provided*, That any public official whose term of office begins when his or her county's classification imposes no restriction on his or her outside activities may not be restricted on his or her outside activities during the remainder of the term for which he or she is elected.