WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1943

ENROLLED

SENATE BILL No. 64

(By Mr. Rasmussen)

PASSED March 1, 1943

In Effect from Passage
ENROLLED

Senate Bill No. 64

(By Mr. Boreman)

[Passed March 1, 1943; in effect from passage.]

AN ACT to amend and reenact section three, article five, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, relating to assignment of wages.

Be it enacted by the Legislature of West Virginia:

That section three, article five, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, be amended and reenacted to read as follows:

Section 3. Payment of Wages by Employers Other Than Railroads; Assignment of Wages. Every person, firm or corporation doing business in this State, except railroad
companies as provided in section one of this article, shall settle with its employees at least once in every two weeks, unless otherwise provided by special agreement, and pay them the amount due them for their work or services in lawful money of the United States, or by the cash order as described and required in the next succeeding section of this article: Provided, however, That if, at any time of payment, any employee shall be absent from his regular place of labor and shall not receive his wages through a duly authorized representative, he shall be entitled to such payment at any time thereafter upon demand upon the proper paymaster at the place where such wages are usually paid and where the next pay is due. Nothing herein contained shall affect the right of an employee to assign part of his claim against his employer except as hereafter provided. No assignment of or order for future wages shall be valid for a period exceeding one year from the date of such assignment or order. Such assignment or order
shall be acknowledged by the party making the same before a notary public or other officer authorized to take acknowledgments, and such order or assignment shall specify thereon the total amount due and collectible by virtue of the same and three-fourths of the periodical earnings or wages of the assignor shall at all times be exempt from such assignment or order and no assignment or order shall be valid which does not so state upon its face: Provided further, That no such order or assignment shall be valid unless the written acceptance of the employer of the assignor to the making thereof, is endorsed thereon: Provided further, That nothing herein contained shall be construed as affecting the right of employer and employees to agree between themselves as to deductions to be made from the payroll of employees; and, Provided further, That nothing herein contained shall be construed as affecting the right of teachers who have elected to become members of a county teachers' retirement system, as permitted by section two, article seven-a, chapter thirty-six, acts of the Legislature.
of West Virginia, regular session, one thousand nine
hundred forty-one, to make assignments of or orders
for future wages to such systems for periods coextensive
with the term of their contracts of employment.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate

Takes effect from passage

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 5th day of March, 1943.

Governor

Filed in the office of the Secretary of State of West Virginia MAR 5 1943

Wm. S. O'Brien,
Secretary of State