WEST virginia legislature

**FISCAL NOTE**

2024 regular session

Introduced

House Bill 4261

By Delegate Toney

[Introduced January 10, 2024; Referred   
to the Committee on Jails and Prisons then Judiciary]

A BILL to amend and reenact §17-5-1 of the Code of West Virginia,1931, as amended, relating to making all inmates regardless of sex eligible to work on a state convict road force.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. STATE CONVICT ROAD FORCE.

§17-5-1. State convict road force; how used.

All ~~male~~ persons convicted of a felony and, sentenced to imprisonment or confinement in ~~the penitentiary~~ a correctional facility by any court, or who may hereafter be sentenced for a felony, whether actually sentenced to labor or not, or so many thereof as may be required by the state ~~road~~ Highways Commissioner, shall, as incident to such sentence or confinement, constitute the state convict road force and as such may be employed under the supervision of the state ~~road~~ Highways Commissioner in building, surfacing and maintaining roads under the supervision of the state ~~road~~ Highways Commissioner, including all roads in the state road system, and in and about any quarries, gravel pits, sandbanks, crushers, brick kilns, or other plants and places operated by the state ~~road commission~~ Division of Highways for the manufacture and acquisition of materials for use in the construction, maintenance and repair of such roads.

NOTE: The purpose of this bill is to make all state inmates regardless of sex members of the state convict road force.

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