WEST virginia legislature

2024 regular session

Committee Substitute

for

House Bill 5016

By Delegate Martin

[Originating in the Committee on the Judiciary; Reported on January 28, 2024]

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 gender, 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 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 commissioner in building, surfacing and maintaining roads under the supervision of the state road 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 for the manufacture and acquisition of materials for use in the construction, maintenance and repair of such roads: *Provided*, That no road crew assembled under this article shall be composed of both male and female persons.

NOTE: The purpose of this bill is to make all state inmates, regardless of gender, 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.