

# **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]



1 A BILL to amend and reenact §17-5-1 of the Code of West Virginia, 1931, as amended, relating to  
2 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.**

1            All ~~male~~ persons convicted of a felony and, sentenced to imprisonment or confinement in  
2 ~~the penitentiary~~ a correctional facility by any court, or who may hereafter be sentenced for a felony,  
3 whether actually sentenced to labor or not, or so many thereof as may be required by the state  
4 road commissioner, shall, as incident to such sentence or confinement, constitute the state convict  
5 road force and as such may be employed under the supervision of the state road commissioner in  
6 building, surfacing and maintaining roads under the supervision of the state road commissioner,  
7 including all roads in the state road system, and in and about any quarries, gravel pits, sandbanks,  
8 crushers, brick kilns, or other plants and places operated by the state road commission for the  
9 manufacture and acquisition of materials for use in the construction, maintenance and repair of  
10 such roads: Provided, That no road crew assembled under this article shall be composed of both  
11 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.