

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4139

**FISCAL
NOTE**

By Delegate C. Martin

[Introduced January 14, 2026; referred to the

Committee on the Judiciary]

1 A BILL to amend and reenact §17-5-1 of the Code of West Virginia, 1931, as amended, relating to
2 the state convict road force; making all inmates, regardless of sex, eligible to work on a
3 state convict road force; and providing no road crew be mixed sex.

Be it enacted by the Legislature of West Virginia:

ARTICLE	5.	STATE	CONVICT	ROAD	FORCE.
§17-5-1.	State	convict	road	force;	how

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 permit female inmates to become 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.