

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

### **Introduced**

## **House Bill 4714**

By Delegates Holstein, Moore, Roop, Heckert,  
Chiarelli, Kyle, J. Cannon, Mallow, Masters,  
Mazzocchi, and Parsons

[Introduced January 21, 2026; referred to the  
Committee on the Judiciary]

1 A BILL to amend and reenact §22-15A-5 and §22C-4-22 of the Code of West Virginia, 1931, as  
2 amended, relating to litter pickup; expanding the participation of programs; providing  
3 incentives for participation; and enhancing public safety.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 15A. THE A. JAMES MANCHIN REHABILITATION ENVIRONMENTAL  
ACTION PLAN.**

**§22-15A-5. Litter pickup and removal; education; government recycling responsibilities;  
monitoring and evaluation; study commission; repeal; report to Legislature.**

1 (a) *Litter pickup and removal.* --

2 (1) Each county commission and the Regional Jail Authority may establish a jail or prison  
3 inmate program ~~including~~ which shall include public works projects and a regular litter pickup work  
4 regimen under proper supervision pursuant to ~~section four, article fifteen, chapter seventeen §17-~~  
5 15-4 of this code.

6 (2) Such programs may include:

7 (A) Cleanup of highways, county roads, abandoned lots, and other public areas;

8 (B) Collection and removal of bulky waste, recyclable materials, and hazardous debris,  
9 provided all safety standards are met; or

10 (C) Coordination with municipal authorities and non-profit organizations for community  
11 cleanup efforts.

12 (3) Inmates may participate on a voluntary basis and may receive sentence reduction  
13 credits or recognition for work completed.

14 (4) Supervising authorities shall ensure:

15 (A) Adequate staffing and supervision ratios;

16 (B) Provision of protective clothing and safety equipment; and

17 (C) Compliance with all safety and occupational regulations.

18        ~~(5)~~ Funding for these programs shall be from the Litter Control Fund. Funding  
19 requirements may include salaries for additional personnel needed for the program. The program  
20 may include the cooperative help of the Division of Highways or any other voluntary state, local,  
21 private, civic or public agency for personnel, equipment or materials in establishing a county or  
22 regionwide, continual program of inmate litter pickup. Upon final approval of the projected cost of  
23 the program for a given fiscal year, the secretary shall disburse the approved amount to the county  
24 or Regional Jail Authority. The funds will be used by the Authority to reimburse the county  
25 commission or Regional Jail Authority for its expenses related to the program and to pay other  
26 costs related to the use of inmates for litter pickup. Nothing contained herein shall preclude a  
27 county or counties from expending whatever additional funds its commission or commissions may  
28 deem appropriate from any other revenue source in furtherance of said program.

29        ~~(2)~~ (6) All persons involved with litter pickup may separate identifiable recyclable materials  
30 from other litter collected. The funds resulting from the sale of those recyclable materials shall be  
31 returned to the Litter Control Fund.

32        ~~(3)~~ (7) The county or regional solid waste authority may also contract with local  
33 governments, civic organizations or chief correctional officers in any county to implement litter  
34 pickup and removal pursuant to this act when the state offender workforce is not available. In such  
35 cases, the contract provisions shall require that identifiable recyclable materials shall be  
36 separated from other litter collected, with resulting funds returned to the Litter Control Fund.  
37 Priority shall be given to those contracts that maximize the use of community service hours by  
38 inmates and youth employment programs.

39        *(b) Education. --*

40        (1) The Department of Education in cooperation with the Department of Environmental  
41 Protection shall distribute educational materials to the schools based on the goals of litter clean up  
42 and proper solid waste disposal, the rationale for the goals and how primary and secondary school  
43 students can contribute to the achievement of the goals. The Department of Education shall

44 further incorporate this information into the curriculum of the public school system as appropriate.

45 (2) The Division of Highways and local governments shall conduct public awareness  
46 programs to notify the public of the provisions of this law and how they can participate, to inform  
47 them as to the rationale behind the provisions of this law, to advise them of other avenues for  
48 achievement of the noted goals and to encourage their participation.

49 (3) The Department of Environmental Protection and the Solid Waste Management Board  
50 shall provide technical assistance to local governments in the implementation of this law.

51 (c) *Government recycling responsibilities.* --

52 (1) All state agencies and regional planning councils may establish and implement  
53 aluminum container, glass and paper recycling programs at their public facilities. To the extent  
54 practicable, programs for other metals, plastics, covered electronic devices, rubber and other  
55 recyclable materials may be established and implemented. The moneys collected from the sale of  
56 such materials shall be deposited and accounted for in the Litter Control Fund pursuant to the  
57 authority of section four of this article.

58 (2) To further promote recycling and reduction of the waste stream, county and municipal  
59 governments shall consider the establishment of recycling programs as provided in this section in  
60 the operation of their facilities and shall evaluate the cost effectiveness of:

61 (A) Procedures that separate identifiable recyclable materials from solid waste collected;

62 and

63 (B) Programs that provide for:

64 (i) The establishment of a collection place for recyclables at all landfills and other interim  
65 solid waste collection sites and arrangements for the material collected to be recycled;

66 (ii) Public notification of such places and encouragement to participate;

67 (iii) The use of rate differentials at landfills to facilitate public participation in on-site  
68 recycling programs.

69 (3) In preparing the recycling plan as required under this subsection, the county may

address methods for the separate collection and recycling of covered electronic devices, including efforts by the county with manufacturers, recyclers, retailers or other local governments for the collection and recycling of covered electronic devices.

(d) Each affected agency and local government shall monitor and evaluate the programs implemented pursuant to this law.

(e) The secretary shall submit a report to the Speaker of the House and the President of the Senate not later than March 1, 2006, and every five years thereafter regarding the effectiveness of the programs authorized by this law.

#### **ARTICLE 4. COUNTY AND REGIONAL SOLID WASTE AUTHORITIES.**

##### **§22C-4-22. Use of prisoners for litter pickup; funds provided from litter control fund; county commission, Regional Jail and Correctional Facility Authority and sheriff to cooperate with solid waste authority.**

(a) Upon the approval of the litter and solid waste control plan as provided in section eight hereof, each county and regional solid waste authority is hereby authorized and directed to implement a program to utilize those individuals incarcerated in the county or regional jails for litter pickup within the limits of available funds. Such program shall be funded from those moneys allocated to the authority by the director of the Division of Natural Resources from the litter control fund pursuant to ~~section twenty-six, article four, chapter twenty~~ §20-4-26 of this code. The authority may expend such additional funds for this program as may be available from other sources. The county commission and the sheriff of each county and the Regional Jail and Correctional Facility Authority shall cooperate with the county or regional solid waste authority in implementing this program pursuant to ~~section one, article eleven-a~~ §62-11A-1, and ~~sections three and thirteen, article twelve, chapter sixty-two~~ §62-12-3 and §62-12-13 of this code.

(b) County commissions, in cooperation with the Regional Jail Authority and local sheriffs, may establish inmate litter cleanup programs.

(c) Programs may include inmates housed in county jails, regional jails, and state

- 15 correctional facilities.
- 16 (d) Inmates may participate in litter cleanup projects on public roads, highways, public
- 17 lands, abandoned properties, and other areas designated by the program.
- 18 (e) Program participation shall be voluntary unless otherwise required by court order.
- 19 (f) Inmates participating in these programs may receive:
- 20 (1) Sentence reduction credits consistent with existing law; and/or
- 21 (2) Recognition for work performed, including certificates of completion or vocational
- 22 training in environmental or public works-related skills.
- 23 (g) All programs shall ensure safety through proper supervision, protective equipment, and
- 24 compliance with occupational health standards.

NOTE: The purpose of this bill is to expand the participation of inmates in county, regional, and state correctional facilities in litter pickup and public works projects across West Virginia; to provide rehabilitation and vocational incentives for inmate participants; and to enhance public safety, environmental cleanliness, and community engagement without creating new funding obligations.

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