

# WEST VIRGINIA LEGISLATURE

## 2021 REGULAR SESSION

Introduced

### House Bill 2976

FISCAL  
NOTE

BY DELEGATES MARTIN, HOWELL, MILLER, DOYLE,  
FLEISCHAUER, ELLINGTON, CAPITO, GRAVES, KESSINGER,  
STEELE AND HANNA

[Introduced March 08, 2021; 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  
 2 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.**

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  
 3 felony, whether actually sentenced to labor or not, or so many thereof as may be required by the  
 4 state road commissioner, shall, as incident to such sentence or confinement, constitute the state  
 5 convict road force and as such may be employed under the supervision of the state road  
 6 commissioner in building, surfacing and maintaining roads under the supervision of the state road  
 7 commissioner, including all roads in the state road system, and in and about any quarries, gravel  
 8 pits, sandbanks, crushers, brick kilns, or other plants and places operated by the state road  
 9 commission for the manufacture and acquisition of materials for use in the construction,  
 10 maintenance and repair of such roads.

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.