

# WEST VIRGINIA LEGISLATURE

## 2024 REGULAR SESSION

Introduced

### House Bill 4261

FISCAL  
NOTE

By Delegate Toney

[Introduced January 10, 2024; Referred  
to the Committee on Jails and Prisons then Judiciary]

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 sex 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~~ Highways Commissioner, shall, as incident to such sentence or confinement, constitute the  
5 state convict road force and as such may be employed under the supervision of the state ~~road~~  
6 Highways Commissioner in building, surfacing and maintaining roads under the supervision of the  
7 state ~~road~~ Highways Commissioner, including all roads in the state road system, and in and about  
8 any quarries, gravel pits, sandbanks, crushers, brick kilns, or other plants and places operated by  
9 the state ~~road commission~~ Division of Highways for the manufacture and acquisition of materials  
10 for use in the construction, maintenance and repair of such roads.

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