

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

### **ENROLLED**

## **House Bill 2459**

BY DELEGATES SHOTT, CAPITO, KESSINGER, MANDT,  
FLEISCHAUER, PUSHKIN, BYRD, ROBINSON, S. BROWN,  
AND LOVEJOY

[Passed February 20, 2019; in effect ninety days from  
passage.]



1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new  
2 section, designated §9-2-3a, relating to exercising authority to exempt individuals  
3 domiciled within the state from certain restrictions contained in federal law and exempting  
4 persons convicted of certain offenses from the prohibition against receiving supplemental  
5 nutrition assistance program benefits.

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

**ARTICLE 2. COMMISSIONER OF HUMAN SERVICES; POWERS; DUTIES AND  
RESPONSIBILITIES GENERALLY.**

**§9-2-3a. Authorized exemption from federal law; exceptions.**

1 Pursuant to the authority and option granted by 21 U.S.C. §862a(d)(1)(A) to the states,  
2 West Virginia exempts all individuals domiciled within the state from the application of 21 U.S.C.  
3 §862a(a)(2) unless the offense of conviction has as an element thereof misuse of supplemental  
4 nutrition assistance program benefits, loss of life, or the causing of physical injury.



The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within ..... this the.....  
day of ....., 2019.

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*Governor*