

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2459**

BY DELEGATE SHOTT, CAPITO, KESSINGER, MANDT,  
FLEISCHAUER, PUSHKIN, BYRD, ROBINSON, BROWN, S.

AND LOVEJOY

[Introduced January 16, 2019; Referred  
to the Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §9-2-3a, relating to exercising authority to exempt individuals domiciled within  
 3 the state from certain restrictions contained in federal law.

*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.**

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).

NOTE: The purpose of this bill is to exercise authority to exempt individuals domiciled within the state from certain restrictions contained in federal law.

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