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

[Passed February 20, 2019; in effect ninety days from passage.]
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.]
AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-2-3a, relating to exercising authority to exempt individuals domiciled within the state from certain restrictions contained in federal law and exempting persons convicted of certain offenses from the prohibition against receiving supplemental 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.

Pursuant to the authority and option granted by 21 U.S.C. §862a(d)(1)(A) to the states, West Virginia exempts all individuals domiciled within the state from the application of 21 U.S.C. §862a(a)(2) unless the offense of conviction has as an element thereof misuse of supplemental 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.

[Signatures]

Chairman, House Committee
Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

[Signatures]

Clerk of the House of Delegates
Clerk of the Senate

Speaker of the House of Delegates
President of the Senate

[Signature]

Governor

The within is approved this the 28th day of February, 2019.
PRESENTED TO THE GOVERNOR

FEB 22 2019

Time 9:28 am