

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

ENROLLED

House Bill 2459

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2019 FEB 28 P 4:41

FILED

BY DELEGATES SHOTT, CAPITO, KESSINGER, MANDT,

FLEISCHAUER, PUSHKIN, BYRD, ROBINSON, S. BROWN,

AND LOVEJOY

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

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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.

Walter L. ...
.....
Chairman, House Committee

Mark ...
.....
Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Heather D. ...
.....
Clerk of the House of Delegates

Joe ...
.....
Clerk of the Senate

Sean ...
.....
Speaker of the House of Delegates

Walter B. ...
.....
President of the Senate

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

The within *is approved* this the *28th*
day of *February* 2019.

James ...
.....
Governor

PRESENTED TO THE GOVERNOR

FEB 22 2019

Time 9:28 am