

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3216

By Delegates Nestor, Martin, Steele, Holstein,
Phillips, Keaton, Chiarelli, Hott, Riley, Brooks, and
Statler

[Introduced February 02, 2023; Referred to the
Committee on Finance]

1 A BILL to amend and reenact §16A-9-2 of the Code of West Virginia, 1931, as amended, relating
 2 to including emergency medical services and the safe school fund in the programs that
 3 receive a portion of proceeds from the tax on medical cannabis and the medical cannabis
 4 fund.

Be it enacted by the Legislature of West Virginia:

ARTICLE 9. TAX ON MEDICAL CANNABIS.

§16A-9-2. Medical Cannabis Program Fund.

1 (a) *Fund established.* — The Medical Cannabis Program Fund is established as a special
 2 fund in the State Treasury. Money in the fund is appropriated as set forth in subsection (c) of this
 3 section. Any amount unspent at the end of a fiscal year shall be appropriated to the bureau for its
 4 operations.

5 (b) *Source of funds.* — Fees and taxes payable under this act shall be deposited into the
 6 fund. The money deposited into the fund may only be used for the purposes set forth in this
 7 section. Any interest accrued shall be deposited into the fund.

8 (c) *Use of proceeds.* — Money in the fund is allocated in accordance with the following
 9 percentages:

10 (1) ~~Fifty-five~~ Forty percent of the revenue in the fund shall be allocated to the bureau.

11 (2) The remaining ~~forty-five~~ sixty percent of the revenue in the fund shall be allocated as
 12 follows:

13 (A) Fifty percent shall be allocated to the Fight Substance Abuse Fund created by §60A-9-
 14 8 of the code.

15 (B) Forty percent shall be allocated to ~~the Division of Justice and Community Services~~ for
 16 grants to local law-enforcement agencies for training, drug diversion, and other programs focused
 17 on crime and addiction, ~~pursuant to and in accordance with the provisions of §15-9A-1 et seq. of~~
 18 this code and emergency medical services as defined in §16-4C-3 of this code, and the Safe
 19 School Fund created by §18-4-48 of this code.

- 20 (C) Ten percent shall be allocated to the fund created in §30-29-4, to be used for law
21 enforcement professional training and professional development programs.

NOTE: The purpose of this bill is to include emergency medical services and the safe school fund in the programs that receive a portion of proceeds from the tax on medical cannabis and the medical cannabis fund.

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