WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3475

By Delegate Steele

[Introduced February 14, 2023; Referred to the Committee on the Judiciary]

A BILL to amend the Code of West Virginia, 1931 as amended, by adding thereto a new section, designated as §16A-12-10, all relating to the offense of adulteration or alteration of medical cannabis testing results; defining offense; and setting forth penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 12. OFFENSES RELATED TO MEDICAL CANNABIS.

§16A-12-10. Adulteration or alteration of medical cannabis testing results.

In addition to any other penalty provided by law, any person who adulterates, alters, fortifies, contaminates, or changes the tested character or purity of medical cannabis either from its actual potency or from that set forth on the patient’s or caregiver’s identification card, is guilty of a felony, and, upon conviction thereof:

(1) In the case of a non-natural person, shall be fined up to $2.5 million per incident and have any medical cannabis licenses permanently revoked; or

(2) For any natural person, shall be fined up to $100,000 per incident and shall be imprisoned in a state correctional facility for not less than one nor more than five years.

NOTE: The purpose of this bill is to establish the offense of adulteration or alteration of medical cannabis testing results; defining offense; and setting forth penalties

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