

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 582

By Senators Stuart, Deeds, Phillips, Smith, and Taylor

[Introduced January 29, 2024; referred
to the Committee on Agriculture and Natural
Resources; and then to the Committee on the
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §19-39-1, §19-39-2, and §19-39-3, all relating to the creation of the Prohibition
 3 on Cell Cultured Animal Products Act; providing for a short title; providing for legislative
 4 findings; providing for a prohibition on cell-cultured animal products; creating a civil
 5 penalty; providing for a right of action; and providing for a definition.

Be it enacted by the Legislature of West Virginia:

ARTICLE 39. PROHIBITION ON CELL CULTURED ANIMAL PRODUCTS ACT.

§19-39-1. Short title.

1 This article shall be cited as the "Prohibition on Cell Cultured Animal Products Act".

§19-39-2. Legislative findings.

1 (a) The regulation of cell-cultured animal product is a matter of statewide concern
 2 necessary to protect public health.

3 (b) This state's cattle ranching industry is integral to this state's history, culture, values, and
 4 economy.

5 (c) Cattle is one of the five foundational pillars that have driven this state's economy since
 6 territorial days.

7 (d) The production and sale of lab-grown, cell-cultured animal product threatens to harm
 8 this state's trust land beneficiaries and the highest and best use of state trust land, which includes
 9 the lease of state lands to ranchers for livestock grazing to fund public schools and other public
 10 institutions.

11 (e) This act is necessary to protect this state's sovereign interests, history, economy, and
 12 food heritage.

§19-39-3. Cell-cultured animal product prohibition; civil penalty; right of action; definition.

1 (a) A person may not offer to sell, sell or produce a cell-cultured animal product for human
 2 or animal consumption.

3 (b) The West Virginia Department of Agriculture may impose a civil penalty of not more

4 than \$25,000 against a person that violates this section.

5 (c) A person or organization whose business is adversely affected by a violation of this
6 section may file a civil action for declaratory and injunctive relief and actual damages against the
7 person that violates this section. If the plaintiff prevails in this action, the court shall award:

8 (1) Reasonable attorney fees and costs; and

9 (2) The actual damages incurred, not to exceed \$100,000.

10 (d) For the purposes of this section, "cell-cultured animal product" means any cultured
11 animal tissue that is produced from in vitro animal cell cultures outside of the organism from which
12 it is derived.

NOTE: The purpose of this bill is to create the Prohibition on Cell Cultured Animals Product Act. The bill provides for a short title. The bill provides for legislative findings. The bill provides for a prohibition on cell-cultured animal products. The bill creates a civil penalty. The bill provides for a right of action. Finally, the bill provides for a definition.

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