

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4500

BY DELEGATES ELDRIDGE, HORNBUCKLE, A. EVANS,
FRICH, PUSHKIN, ELLINGTON, CAMPBELL, R. MILLER,
MAYNARD, LOVE AND HAMILTON

[Introduced February 12, 2018; Referred
to the Committee on Agriculture and Natural
Resources then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §19-12E-10, relating to the creation of an Industrial Hemp Research and
 3 Development Grant Fund and an Industrial Hemp Research Fund to conduct research
 4 and development of industrial hemp for commercial purposes.

Be it enacted by the Legislature of West Virginia:

ARTICLE 12E. INDUSTRIAL HEMP DEVELOPMENT ACT.

§19-12E-10. Industrial hemp research and development grant fund -- fees.

1 (a) There is hereby created in the State Treasury the Industrial Hemp Research and
 2 Development Grant Fund, referred to in this section as the “hemp fund” that shall be exclusively
 3 administered by the Commissioner of Agriculture for the purpose of funding this grant program.
 4 The fund consists of fees collected by the commissioner pursuant to subsection (b) of this section
 5 and any general fund moneys appropriated to the fund by the Legislature. The moneys in the
 6 fund are subject to annual appropriation by the Legislature to the Department of Agriculture for
 7 the direct costs associated with implementing this section.

8 (b) The commissioner shall collect from persons applying for a registration pursuant to this
 9 section. The commissioner shall set a fee schedule based on the size and use of the land area
 10 on which the person will conduct industrial hemp operations and shall set the fee at a level
 11 sufficient to generate the amount of moneys necessary to cover the department’s direct costs in
 12 implementing this section. The commissioner shall transmit the fees collected pursuant to this
 13 section to the State Treasurer for deposit in the fund.

14 (c) The department shall administer an Industrial Hemp Research and Development
 15 Program to private companies and state institutions of higher education to conduct research and
 16 development of industrial hemp for commercial purposes. The objectives of the research may
 17 include growing industrial hemp to provide breeding strains to aid West Virginia’s hemp program
 18 and to create West Virginia stains of industrial hemp.

19 (d) There is hereby created in the State Treasury the Industrial Hemp Research Fund

- 20 consisting of:
- 21 (1) Fees collected by the commissioner pursuant to §19-12E-8 of this code;
- 22 (2) Any moneys from foundations, private individuals, or any other funding sources that
- 23 can be used to expand the scope or time frame of any hemp research authorized pursuant to this
- 24 article.

NOTE: The purpose of this bill is to create an Industrial Hemp Research and Development Grant Fund and an Industrial Hemp Research Fund to conduct research and development of industrial hemp for commercial purposes. The bill authorizes the collection of fees to support the grant fund and research fund, along with appropriations from the Legislature and moneys from other sources.

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