

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 2396**

BY DELEGATES R. THOMPSON AND LOVEJOY

[Passed March 8, 2019; in effect ninety days from

passage.]



1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
2 designated §19-37-1, §19-37-2, and §19-37-3, all relating to requiring all state-funded  
3 institutions to purchase a minimum of five percent of fresh produce, meat and poultry  
4 products from in-state producers if available; providing legislative findings and purpose;  
5 and establishing rule-making authority and enforcement authority.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 37. WEST VIRGINIA FRESH FOOD ACT.**

**§19-37-1. Legislative findings and purpose.**

1 (a) According to the West Virginia Farm Bureau state schools alone currently purchase  
2 \$100 million of food from out-of-state sources.

3 (b) Locally grown food is healthier and more beneficial to the environment than food  
4 imported from other states and other countries.

5 (c) This article will:

6 (1) Stimulate the agricultural economy of the state, especially in its economically  
7 depressed areas, and allow small farmers to expand operations as well as act as an incentive to  
8 new people to begin farming;

9 (2) Encourage state-funded institutions to begin growing their own produce, thus enabling  
10 people to learn and practice agricultural techniques, as well as lowering operational costs of those  
11 institutions; and

12 (3) Spur self-sufficiency and economic independence of those who learn and engage in  
13 agricultural activities.

**§19-37-2. State-funded institutions to purchase food from in-state sources; exception.**

1 Beginning July 1, 2019, all state-funded institutions, such as schools, colleges,  
2 correctional facilities, governmental agencies and state parks, shall purchase a minimum of five  
3 percent of its fresh produce, meat and poultry products from in-state producers: *Provided*, That  
4 such produce, meat and poultry products can be grown or is available from in-state producers.

**§19-37-3. Rule-making authority and enforcement.**

- 1           The Commissioner of Agriculture shall be charged with the enforcement of this article and
- 2           shall have authority to make and enforce rules and regulations for the administration of this article.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within ..... this the.....  
day of ....., 2019.

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*Governor*