WEST VIRGINIA LEGISLATURE

**FISCAL NOTE**

2024 REGULAR SESSION

Introduced

House Bill 4391

By Delegate Nestor

[Introduced; Referred  
 to the Committee on Finance]

A BILL to amend and reenact §16A-9-2 of the Code of West Virginia, 1931, as amended, relating to including 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.

Be it enacted by the Legislature of West Virginia:

article 9. tax on medical cannabis.

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

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

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

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

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

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

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

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

(C) Ten percent shall be allocated to the fund created in §30-29-4, to be used for law 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.