WEST virginia legislature

2025 regular session

Engrossed

Committee Substitute

for

Senate Bill 916

By Senators Rucker and Hamilton

[Reported March 27, 2025, from the Committee on Government Organization]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §19-36-7, relating to recognizing the constitutional authority of the Commissioner of Agriculture to intervene and supersede in matters that negatively affect agritourism; specifying the implementation of such authority; and requiring annual report to the Legislature.

Be it enacted by the Legislature of West Virginia:

article 36. agritourism responsibility act.

§19-36-7. Promotion of agritourism.

(a) It is the intention of the Legislature to promote agritourism as a means of supporting agricultural production and to educate the public about the agricultural industry and its importance within the state.

(b) A county commission, municipality, or public health department may not adopt or enact an ordinance, rule, license requirement, or other authorization that contravenes or is stricter than any state law, rule, or regulation relating to agricultural operations, as defined in §19-19-2 of this code. Any ordinance, rule, regulation, license requirement, or other authorization previously adopted by a county commission, municipality, or public health department that contravenes or is stricter than any state law, rule, or regulation regarding agricultural operations is revoked.