

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 5074**

By Delegates Worrell, Clark, Hite, and Ellington

[Introduced February 03, 2026; referred to the  
Committee on Finance]

1 A BILL to amend and reenact §16A-9-2 of the Code of West Virginia, 1931, relating to changing  
2 the allocation of proceeds in the Medical Cannabis Program Fund.

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

## **ARTICLE 9. TAX ON MEDICAL CANNABIS.**

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

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

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

8 (c) *Use of proceeds.* —

9 (1) The moneys in the account as of June 30, 2026, shall revert to general revenue for  
10 appropriation;

11 (2) As of July 1, 2026, the money in the fund is allocated in accordance with the following  
12 percentages:

13 ~~(1)(A) Fifty-five Fifteen~~ percent of the revenue in the fund shall be allocated to the bureau  
14 Office of Medical Cannabis for administrative purposes.

15 (B) Fifteen percent shall be allocated to the Department of Agriculture for testing of medical  
16 cannabis, which shall occur at the West Virginia State University lab when operational.

17 ~~(2) (C) The remaining forty-five percent of the revenue in the fund shall be allocated as~~  
18 ~~follows: (A) Fifty percent shall be allocated to the Fight Substance Abuse Fund created by §60A-9-~~  
19 ~~8 of the this~~ code;

20 (D) Ten percent shall be allocated to Marshall University for cannabis research; and

21 (E) Ten percent shall be allocated to West Virginia University's Rockefeller Neuroscience

22 Institute for substance use disorder research.

23 ~~(B) Forty percent shall be allocated to the Division of Justice and Community Services, for~~  
24 ~~grants to local law enforcement agencies for training, drug diversion, and other programs focused~~  
25 ~~on crime and addiction, pursuant to and in accordance with the provisions of article nine-a, chapter~~  
26 ~~fifteen of this code.~~

27 ~~(C) Ten percent shall be allocated to the fund created in section four, article twenty-nine,~~  
28 ~~chapter thirty, to be used for law enforcement professional training and professional development~~  
29 ~~programs.~~

NOTE: The purpose of this bill is to change the allocation of proceeds in the Medical Cannabis Program 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.