

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

ENGROSSED

Committee Substitute

for

House Bill 5074

By Delegates Worrell, Clark, Hite, and Ellington

[Originating in the Committee on Finance, February

26, 2026]

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~~ shall be allocated as set forth in
3 subsection (c) of this section. Any amount unspent at the end of a fiscal year shall be ~~appropriated~~
4 allocated to the bureau for its 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) On June 30, 2026, \$3 million from the balance of moneys in the fund shall be allocated
10 to the Supreme Court of Appeals for a pilot project for the establishment of a Child Protection
11 Commission; “\$10 million from the balance of moneys in the fund shall be allocated to West
12 Virginia University for Ibogaine research; \$10 million from the balance of moneys in the fund shall
13 be allocated to Marshall University for Ibogaine research;”. and “\$5 million from the balance of
14 moneys in the fund shall be allocated to Division of Primary Care to expand and enhance services
15 addressing homelessness;”. the remaining balance in the fund shall revert to general revenue for
16 appropriation;

17 (2) Beginning of July 1, 2026, the money in the fund is allocated in accordance with the
18 following percentages, except as otherwise provided in this subdivision:

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

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

23 ~~(2) (C) The remaining forty-five percent of the revenue in the fund shall be allocated as~~
24 ~~follows: (A) Fifty Twenty percent shall be allocated to the Fight Substance Abuse Fund created by~~
25 ~~§60A-9-8 of the this code;~~

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

27 (E) Ten percent shall be allocated to West Virginia University's Rockefeller Neuroscience
28 Institute for substance use disorder research;

29 (F) Ten percent shall be allocated to the Supreme Court of Appeals for the purposes of a
30 Child Protection Commission; and"

31 ~~"(B) (G) Forty Twenty percent shall be allocated to the Division of Administrative Services,~~
32 ~~Justice and Community Services section, for grants to local law enforcement agencies for training,~~
33 ~~drug diversion, and other programs focused on crime and addiction and to pay expenses of the~~
34 ~~division in administering the grant program, which expenses may not in any fiscal year exceed~~
35 ~~three percent of the funds allocated, pursuant to and in accordance with the provisions of article~~
36 ~~nine-a, chapter fifteen §15A-2-1 et seq. of this code."~~

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

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