

# **WEST VIRGINIA LEGISLATURE**

**2026 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 5074**

BY DELEGATES WORRELL, CLARK, HITE, AND ELLINGTON

[Passed March 14, 2026; in effect 90 days from  
passage (June 12, 2026)]



1 AN ACT 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 shall be allocated as set forth in subsection (c) of  
3 this section. Any amount unspent at the end of a fiscal year shall be allocated to the bureau for  
4 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, \$5 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 and \$5 million from the balance of moneys in the fund shall be allocated to Division  
12 of Primary Care to expand and enhance services addressing homelessness. The remaining  
13 balance in the fund shall revert to general revenue for appropriation;

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

16 (A) Fifteen percent of the revenue in the fund shall be allocated to the Office of Medical  
17 Cannabis for administrative purposes;

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

20 (C) Twenty percent shall be allocated to the Fight Substance Abuse Fund created by  
21 §60A-9-8 of this code;

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

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

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

27 (G) Twenty percent shall be allocated to the Division of Administrative Services, Justice  
28 and Community Services section, for grants to local law enforcement agencies for training, drug  
29 diversion, and other programs focused on crime and addiction and to pay expenses of the division  
30 in administering the grant program, which expenses may not in any fiscal year exceed three  
31 percent of the funds allocated, pursuant to and in accordance with the provisions of §15A-2-1 *et*  
32 *seq.* of this code.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

Originated in the House of Delegates.

In effect 90 days from passage.

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within is ..... this the.....  
Day of ....., 2026.

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*Governor*