

# WEST VIRGINIA LEGISLATURE

## 2019 REGULAR SESSION

Introduced

### House Bill 2796

FISCAL  
NOTE

BY DELEGATES CADLE, HARSHBARGER, COOPER,  
WILSON, J. JEFFRIES, ATKINSON, TONEY, PAYNTER,  
HOTT, PHILLIPS AND WORRELL

[Introduced January 31, 2019; Referred  
to the Committee on Agriculture and Natural  
Resources then the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §19-12E-10, relating to analysis of samples of industrial hemp production;  
 3 authorizing the Commissioner of Agriculture to contract with private laboratories for  
 4 analysis of samples; and requiring the establishment of criteria for laboratory selection  
 5 and for handling of samples.

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

**ARTICLE 12E. INDUSTRIAL HEMP DEVELOPMENT ACT.**

**§19-12E-10. Independent analysis of industrial hemp production; certification of laboratories.**

1 The commissioner is authorized to contract with private laboratories, located within the  
 2 state of West Virginia and duly registered to do business therein, for the purpose of analyzing the  
 3 industrial hemp produced on licensed farms for the quantity or proportion of tetrahydrocannabinol  
 4 within the plants. The commissioner may engage the laboratories for testing samples taken during  
 5 inspections by the department and for advising and assisting licensees in the lawful production of  
 6 industrial hemp. The commissioner shall establish criteria for the selection of laboratories and for  
 7 proper and legal handling of sample materials.

NOTE: The purpose of this bill is to permit the Commissioner of Agriculture to contract with local laboratories to analyze samples from industrial hemp farms to ensure that the plants do not have unlawful levels of tetrahydrocannabinol.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.