

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2936

BY DELEGATES PUSHKIN, RODIGHIERO, EVANS, ZUKOFF,

HILL, DEAN, HORNBUCKLE AND BYRD

[Introduced February 8, 2019; Referred
to the Committee on the Judiciary.]

1 A BILL to amend and reenact §16A-6-13 of the Code of West Virginia, 1931, as amended, relating
 2 to medical cannabis organizations; permitting a grower to be a processor and a processor
 3 to be a grower; allowing growers and processors to be dispensaries; and permitting
 4 dispensaries to be growers and processors.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. MEDICAL CANNABIS ORGANIZATIONS.

§16A-6-13. Limitations on permits.

1 (a) The following limitations apply to approval of permits for growers, processors and
 2 dispensaries, subject to the limitations in subsection (b) of this section:

3 (1) The bureau may not issue permits to more than 10 growers: *Provided*, That each
 4 grower may have up to two locations per permit.

5 (2) The bureau may not issue permits to more than 10 processors.

6 (3) The bureau may not issue permits to more than 30 dispensaries, with no more than
 7 five in any region.

8 (4) The bureau may not issue more than two individual dispensary permits to one person.

9 (5) The bureau may not issue more than one individual grower permit to one person.

10 (6) The bureau may not issue more than one individual processor permit to one person.

11 (7) A dispensary may only obtain medical cannabis from a grower or processor holding a
 12 valid permit under this act.

13 (8) A grower or processor may only provide medical cannabis to a dispensary holding a
 14 valid permit under this act.

15 (9) ~~A grower or a processor may not be a dispensary~~ A grower may be a processor, and
 16 a processor may be a grower. Growers and processors may be dispensaries. Dispensaries may
 17 be growers and processors.

18 (b) Before a permit may be issued, the bureau shall obtain the following:

19 (1) A written approval from the board of health for the county in which the permit is to be

20 located and operate business.

21 (2) A written statement from the county commission for the county in which the permit is
22 to be located and conduct business that the county has not voted, pursuant to §16A-7-6 of this
23 code to disapprove a medical cannabis organization to be located or operate within the county.

NOTE: The purpose of this bill is, with regard to medical cannabis organizations, to permit a grower to be a processor and a processor to be a grower. The bill allows growers and processors to be dispensaries. The bill allows dispensaries to be growers and processors.

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