

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5322

By Delegates Howell, Thorne, Moore, and Dittman

[Introduced January 29, 2024; Referred to the
Committee on Agriculture and Natural Resources
then Government Organization]

1 A BILL to amend the code of West Virginia, 1931, as amended by adding thereto a new section,
 2 designated §7-1-17, and to amend said code by adding thereto a new section, designated
 3 §8-12-28, all relating to creating the "Local Meat Processing Development Act" restricting
 4 county and municipality ordinances that are more stringent than state or federal
 5 requirements and regulation of meat processing businesses.

Be it enacted by the Legislature of West Virginia:

CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-17. Restriction on the regulation of meat processing businesses.

1 Unless specifically authorized under this code, a county commission may not enact, and
 2 may not enforce, any law, ordinance, regulation, or rule, requiring the licensing, certification,
 3 regulation, or registration of any person or business operating a meat processing business within
 4 the jurisdiction of the county that is more stringent than regulation by the Department of Agriculture
 5 of the State of West Virginia or the United States Department of Agriculture: *Provided*, That this
 6 section may not limit the authority of a county to impose or levy per project fees upon development
 7 projects and other forms of capital improvement affecting the county and its government.

CHAPTER 8. MUNICIPAL CORPORATIONS.

**ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED
 RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND MUNICIPAL
 OFFICERS AND EMPLOYEES; SUITS AGAINST MUNICIPALITIES.**

**§8-12-28. Limitations upon municipalities' power to regulate or restrict meat processing
 businesses.**

1 Neither a municipality nor the governing body of any municipality may, by ordinance or
 2 otherwise, require regulation of a meat processing business within the jurisdiction of the
 3 municipality that is more stringent than regulation by the Department of Agriculture of the State of

4 West Virginia or the United States Department of Agriculture.

NOTE: The purpose of this bill is to create the "Local Meat Processing Development Act" restricting county and municipality ordinances that are more stringent than state or federal requirements and regulation of meat processing businesses.

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