



Patrick Morrisey
Office of the Governor

April 1, 2026

VIA HAND DELIVERY

The Honorable Kris Warner
Secretary of State of West Virginia
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for House Bill 5074

Dear Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return the Enrolled Committee Substitute for House Bill 5074 with the following objections:

The bill seeks to reallocate funds in the Medical Cannabis Program Fund without any ongoing allocation for general revenue.

This fund was created in 2017, *see* W. Va. Code § 16A-9-2 (2017), to receive the “fees and taxes payable” by those engaged “in the business of a” licensed “dispensary of medical cannabis.” W. Va. Code § 16A-9-1(a). That 2017 statute allocated this newly anticipated revenue stream to various sources such as the operation of the medical cannabis program, substance abuse efforts, and law enforcement grants. W. Va. Code § 16A-9-2(c). But unlike many other taxes, the 2017 formula left nothing available to general revenue and so limited future executives’ and legislatures’ ability to use this new revenue stream to pay for additional costs and services provided by the state.

House Bill 5074 only extends that problem. To be fair, it rightly redirects medical cannabis tax money to pay for issues I strongly support such as grants for local law enforcement and the creation of a Child Protection Commission pilot program which was authorized by House Bill 5684, *see* 87th Reg. Leg. Sess. H.B. 5684 (Mar. 14, 2026)—a bill I signed into law today. And it does allocate a significant portion of the balance of money already collected in this fund to general revenue, 87th Reg. Leg. Sess. H.B. 5074, p.1, ln.12-13 (Mar. 14, 2026). But that is one-time money

April 1, 2026

Page 2

that may help next year's budget and it will do little to offset the long-term growth in the budget's baseline or to return more money to pockets of everyday West Virginians through future tax cuts.

West Virginia must do better to plan for the future, and it can't totally pre-commit future revenue streams like this if it's going to have reserves to invest more in roads, water, sewer, site-selection, rail, and future tax cuts. I welcome the opportunity to work with the Legislature on appropriately allocating this revenue stream to justified causes. But my support for that initiative will be contingent on the reservation of some portion of this ongoing revenue for long-term budget needs that can significantly improve the overall viability of our state. House Bill 5074 fails to fully meet that standard.

As a result of these issues, I hereby disapprove and return the Enrolled Committee Substitute for House Bill 5074.

Sincerely,



Patrick Morrisey
Governor

cc: The Honorable Randy Smith,
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates