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**SHB 2489** - H AMD **880**

By Representative Stokesbary

**SCOPE AND OBJECT 02/09/2018**

 On page 6, line 10, after "(1)" insert the following:

 "(a) "Drug injection site" means any building, structure, site, facility, or program, including but not limited to safe consumption or safe injection programs, with a function of providing a space or area for either use or consumption, or both, of federally controlled substances and prohibited by (b) and (c) of this subsection.

 (b) Notwithstanding any grant of authority to a local board of health or local health officer contained in chapter 70.05 RCW, the state of Washington fully occupies and preempts the entire field of drug injection site regulation within the boundaries of the state, including the registration, licensing, possession, purchase, sale, acquisition, transfer, use, authorization, or any other element relating to drug injection sites. Cities, towns, and counties or other municipalities may only enact laws and ordinances relating to drug injection sites that are specifically authorized by state law and are consistent with this chapter. Such local ordinances have the same penalty as provided for by state law. Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law may not be enacted and are preempted and repealed, regardless of the nature of the code, charter, or home rule status of the enacting city, town, county, or municipality.

 (c) Each local health board must provide annual certification to the legislature and state board of health that no private or public drug injection sites are operating in its local health department jurisdiction.

 (2)"

 Renumber the remaining subsections consecutively and correct any internal references accordingly.

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|  |  EFFECT: Preempts local jurisdictions from regulating drug injection sites. Requires local health boards to provide annual certification to the legislature and state board of health that no private or public safe injection site is operating in its jurisdiction. Defines drug injection site.    |

**--- END ---**