H-1383.2

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**HOUSE BILL 1920**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Condotta, Sawyer, Blake, Young, and Appleton

AN ACT Relating to inspections of licensed marijuana processors' equipment and facilities; and amending RCW 69.50.450.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 69.50.450 and 2015 c 70 s 15 are each amended to read as follows:

(1) Nothing in this chapter permits anyone other than a validly licensed marijuana processor to use butane or other explosive gases to extract or separate resin from marijuana or to produce or process any form of marijuana concentrates or marijuana-infused products that include marijuana concentrates not purchased from a validly licensed marijuana retailer as an ingredient. The extraction or separation of resin from marijuana, the processing of marijuana concentrates, and the processing of marijuana-infused products that include marijuana concentrates not purchased from a validly licensed marijuana retailer as an ingredient by any person other than a validly licensed marijuana processor each constitute manufacture of marijuana in violation of RCW 69.50.401. Cooking oil, butter, and other nonexplosive home cooking substances may be used to make marijuana extracts for noncommercial personal use.

(2) Except for the use of butane, the state liquor and cannabis board may not enforce this section until it has adopted the rules required by RCW 69.51A.270.

(3)(a) Any inspection of or approval of a marijuana processor's professional closed loop systems, equipment, extraction operation, or facilities to ensure compliance with applicable fire, safety, or building code requirements that must be performed by a local fire code official pursuant to state liquor and cannabis board rule may, instead, be performed by the director of fire protection or designee, or by an accredited commercial electrical inspector, if the marijuana processor requests that the local fire code official perform the inspection or approval described in (a) of this subsection and thirty calendar days after the date of the request the local fire code official has not performed the inspection or approval.

(b) If an inspection or approval described in (a) of this subsection is performed by the director of fire protection or designee, or by an accredited commercial electrical inspector, the county, city, or town in which the licensee is located shall reimburse the director of fire protection or designee, or the accredited commercial electrical inspector, as appropriate, for the costs of performing the inspection or approval within thirty calendar days of receiving a request for reimbursement.

(c) Nothing in this subsection (3) requires a local fire code official, the director of fire protection or designee, or an accredited commercial electrical inspector to approve of a marijuana processor's professional closed loop systems, equipment, extraction operation, or facilities if the systems, equipment, operation, or facilities is not in compliance with applicable fire, safety, or building code requirements.

(d) For purposes of this subsection (3), "director of fire protection" means the director of fire protection described in RCW 43.43.938.

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