

CERTIFICATION OF ENROLLMENT

**ENGROSSED HOUSE BILL 2772**

55th Legislature  
1998 Regular Session

Passed by the House February 13, 1998  
Yeas 94 Nays 4

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**Speaker of the  
House of Representatives**

Passed by the Senate March 10, 1998  
Yeas 39 Nays 9

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**President of the Senate**

Approved

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 2772** as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED HOUSE BILL 2772**

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Passed Legislature - 1998 Regular Session

**State of Washington                      55th Legislature                      1998 Regular Session**

**By Representatives McDonald and Kastama**

Read first time 01/20/98. Referred to Committee on Law & Justice.

1            AN ACT Relating to drug paraphernalia; adding a new section to  
2 chapter 26.28 RCW; and prescribing penalties.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 26.28 RCW  
5 to read as follows:

6            (1) Every person who sells or gives, or permits to be sold or given  
7 to any person any drug paraphernalia in any form commits a class I  
8 civil infraction under chapter 7.80 RCW. For purposes of this  
9 subsection, "drug paraphernalia" means all equipment, products, and  
10 materials of any kind which are used, intended for use, or designed for  
11 use in planting, propagating, cultivating, growing, harvesting,  
12 manufacturing, compounding, converting, producing, processing,  
13 preparing, testing, analyzing, packaging, repackaging, storing,  
14 containing, concealing, injecting, ingesting, inhaling, or otherwise  
15 introducing into the human body a controlled substance. Drug  
16 paraphernalia includes, but is not limited to objects used, intended  
17 for use, or designed for use in ingesting, inhaling, or otherwise  
18 introducing marihuana, cocaine, hashish, or hashish oil into the human  
19 body, such as:

1 (a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes  
2 with or without screens, permanent screens, hashish heads, or punctured  
3 metal bowls;  
4 (b) Water pipes;  
5 (c) Carburetion tubes and devices;  
6 (d) Smoking and carburetion masks;  
7 (e) Roach clips: Meaning objects used to hold burning material,  
8 such as a marihuana cigarette, that has become too small or too short  
9 to be held in the hand;  
10 (f) Miniature cocaine spoons and cocaine vials;  
11 (g) Chamber pipes;  
12 (h) Carburetor pipes;  
13 (i) Electric pipes;  
14 (j) Air-driven pipes;  
15 (k) Chillums;  
16 (l) Bongos; and  
17 (m) Ice pipes or chillers.  
18 (2) It shall be no defense to a prosecution for a violation of this  
19 section that the person acted, or was believed by the defendant to act,  
20 as agent or representative of another.  
21 (3) Nothing in subsection (1) of this section prohibits legal  
22 distribution of injection syringe equipment through public health and  
23 community based HIV prevention programs.

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