

SENATE BILL REPORT

SB 6083

As of November 20, 2015

Title: An act relating to authorizing the growing of up to six marijuana plants per domicile.

Brief Description: Authorizing the growing of up to six marijuana plants per domicile.

Sponsors: Senators Kohl-Welles, Chase, Hasegawa, McAuliffe, Ranker and Dansel.

Brief History:

Committee Activity: Commerce & Labor: 11/20/2015.

SENATE COMMITTEE ON COMMERCE & LABOR

Staff: Richard Rodger (786-7461)

Background: Recreational Marijuana. Initiative 502, adopted by Washington voters in November of 2012: (1) Legalized the production, processing, possession and personal use of marijuana; (2) created a framework for a regulatory scheme of implementation; and (3) revised provisions in criminal statute to accommodate such legalization.

Initiative 502 allows individuals to possess of up to one ounce of useable marijuana, but does not allow an individual to grow marijuana for personal use.

Other States with Legalized Recreational Marijuana. The other states that have legalized the personal use of marijuana have also authorized individuals to grow marijuana. Those states include: Alaska, Colorado, and Oregon, plus the District of Columbia. The State of Oregon allows the growing of up to 4 plants, while the three other jurisdictions allow an individual to grow up to 6 plants.

Medical Marijuana. Initiative 692, adopted by Washington voters in 1998, allows qualifying patients to use limited amounts of marijuana for medicinal purposes. Qualifying patients may grow their own marijuana or may authorize a designated provider to grow marijuana on their behalf.

Until June 30, 2016, qualifying patients may obtain marijuana through collective gardens that consist of up to 10 qualifying patients who share in the responsibilities of growing and processing marijuana for medical use.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The 2015 Legislature created a revised regulatory system for medical marijuana. Part of the legislation includes: A standard authorization form for use by health care professionals; a voluntary statewide database (database) and accompanying recognition card; and the creation of medical marijuana cooperatives.

Effective July 1, 2016, the medical marijuana legislation provides the following limits regarding the growing of marijuana plants and possession of useable marijuana:

- Qualifying patients and designated providers who are entered into the database are permitted to grow up to 6 marijuana plants and possess 8 ounces of useable marijuana.
- If the patient's medical needs require additional amounts, an authorizing health care professional may authorize up to 15 plants and up to 16 ounces of useable marijuana.
- No more than 15 plants may be grown in a housing unit, unless the housing unit is the location of a cooperative, which may have a maximum of 60 plants.
- Qualifying patients and designated providers who do not sign up with the database may grow marijuana for their medical use, but are limited to 4 plants and 6 ounces of useable marijuana.

Summary of Bill: Legislative findings are made regarding the need to harmonize the medical marijuana system with the recreational system, including bright lines regarding the home production of marijuana for personal use.

Individuals, 21 years of age or older, may grow up to 6 marijuana plants for personal use. A person who grows marijuana for personal use may possess up to 8 ounces of useable marijuana. Only one person may grow marijuana per domicile or tax parcel.

The individual who grows their own marijuana may share up to one ounce with another person. An individual who grows their own marijuana may not sell the marijuana.

A definition is added for marijuana plants that mirrors the definition in the medical marijuana statutes.

Appropriation: None.

Fiscal Note: Fiscal Note requested 11/19/2015.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.