
SENATE BILL 5121

State of Washington

64th Legislature

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By Senators Kohl-Welles, Rivers, Bailey, Pedersen, Lias, McAuliffe, Frockt, Chase, Keiser, and Hatfield

Read first time 01/14/15. Referred to Committee on Health Care.

1 AN ACT Relating to establishing a marijuana research license;
2 amending RCW 28B.20.502 and 43.350.030; adding a new section to
3 chapter 69.50 RCW; and adding a new section to chapter 42.56 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 69.50
6 RCW to read as follows:

7 (1) There shall be a marijuana research license that permits a
8 licensee to produce and possess marijuana for the following limited
9 research purposes:

10 (a) To test chemical potency and composition levels;

11 (b) To conduct clinical investigations of marijuana-derived drug
12 products;

13 (c) To conduct research on the efficacy and safety of
14 administering marijuana as part of medical treatment; and

15 (d) To conduct genomic or agricultural research.

16 (2) As part of the application process for a marijuana research
17 license, an applicant must submit to the life sciences discovery fund
18 authority a description of the research that is intended to be
19 conducted. The life sciences discovery fund authority must review the
20 project and determine that it meets the requirements of subsection
21 (1) of this section. If the life sciences discovery fund authority

1 determines that the research project does not meet the requirements
2 of subsection (1) of this section, the application must be denied.

3 (3) A marijuana research licensee may only sell marijuana grown
4 or within its operation to other marijuana research licensees. The
5 state liquor control board may revoke a marijuana research license
6 for violations of this subsection.

7 (4) A marijuana research licensee may contract with the
8 University of Washington or Washington State University to perform
9 research in conjunction with the university. All research projects
10 must be approved by the life sciences discovery fund authority and
11 meet the requirements of subsection (1) of this section.

12 (5) In establishing a marijuana research license, the state
13 liquor control board may adopt rules on the following:

14 (a) Application requirements;

15 (b) Marijuana research license renewal requirements, including
16 whether additional research projects may be added or considered;

17 (c) Conditions for license revocation;

18 (d) Security measures to ensure marijuana is not diverted to
19 purposes other than research;

20 (e) Amount of plants, useable marijuana, marijuana concentrates,
21 or marijuana-infused products a licensee may have on its premises;

22 (f) Licensee reporting requirements;

23 (g) Conditions under which marijuana grown by marijuana
24 processors may be donated to marijuana research licensees; and

25 (h) Additional requirements deemed necessary by the state liquor
26 control board.

27 (6) The production, possession, delivery, donation, and sale of
28 marijuana in accordance with this section and the rules adopted to
29 implement and enforce it, by a validly licensed marijuana researcher,
30 shall not be a criminal or civil offense under Washington state law.
31 Every marijuana research license shall be issued in the name of the
32 applicant, shall specify the location at which the marijuana
33 researcher intends to operate, which must be within the state of
34 Washington, and the holder thereof shall not allow any other person
35 to use the license.

36 (7) The application fee for a marijuana research license is two
37 hundred fifty dollars. The annual fee for issuance and renewal of a
38 marijuana research license is one thousand dollars. Fifty percent of
39 the application fee and the renewal fee must be deposited to the life
40 sciences discovery fund under RCW 43.350.070.

1 **Sec. 2.** RCW 28B.20.502 and 2011 c 181 s 1002 are each amended to
2 read as follows:

3 (1) The University of Washington and Washington State University
4 may conduct scientific research on the efficacy and safety of
5 administering ((~~cannabis~~)) marijuana as part of medical treatment. As
6 part of this research, the University of Washington and Washington
7 State University may develop and conduct studies to ascertain the
8 general medical safety and efficacy of ((~~cannabis~~)) marijuana, and
9 may develop medical guidelines for the appropriate administration and
10 use of ((~~cannabis~~)) marijuana.

11 (2) The University of Washington and Washington State University
12 may, in accordance with section 1 of this act, contract with
13 marijuana research licensees to conduct research permitted under this
14 section and section 1 of this act.

15 **Sec. 3.** RCW 43.350.030 and 2005 c 424 s 4 are each amended to
16 read as follows:

17 In addition to other powers and duties prescribed in this
18 chapter, the authority is empowered to:

19 (1) Use public moneys in the life sciences discovery fund,
20 leveraging those moneys with amounts received from other public and
21 private sources in accordance with contribution agreements, to
22 promote life sciences research;

23 (2) Solicit and receive gifts, grants, and bequests, and enter
24 into contribution agreements with private entities and public
25 entities other than the state to receive moneys in consideration of
26 the authority's promise to leverage those moneys with amounts
27 received through appropriations from the legislature and
28 contributions from other public entities and private entities, in
29 order to use those moneys to promote life sciences research. Nonstate
30 moneys received by the authority for this purpose shall be deposited
31 in the life sciences discovery fund created in RCW 43.350.070;

32 (3) Hold funds received by the authority in trust for their use
33 pursuant to this chapter to promote life sciences research;

34 (4) Manage its funds, obligations, and investments as necessary
35 and as consistent with its purpose including the segregation of
36 revenues into separate funds and accounts;

37 (5) Make grants to entities pursuant to contract for the
38 promotion of life sciences research to be conducted in the state.
39 Grant agreements shall specify deliverables to be provided by the

1 recipient pursuant to the grant. The authority shall solicit requests
2 for funding and evaluate the requests by reference to factors such
3 as: (a) The quality of the proposed research; (b) its potential to
4 improve health outcomes, with particular attention to the likelihood
5 that it will also lower health care costs, substitute for a more
6 costly diagnostic or treatment modality, or offer a breakthrough
7 treatment for a particular disease or condition; (c) its potential
8 for leveraging additional funding; (d) its potential to provide
9 health care benefits or benefit human learning and development; (e)
10 its potential to stimulate the health care delivery, biomedical
11 manufacturing, and life sciences related employment in the state; (f)
12 the geographic diversity of the grantees within Washington; (g)
13 evidence of potential royalty income and contractual means to
14 recapture such income for purposes of this chapter; and (h) evidence
15 of public and private collaboration;

16 (6) Create one or more advisory boards composed of scientists,
17 industrialists, and others familiar with life sciences research;
18 ((and))

19 (7) Review and approve or disapprove marijuana research license
20 applications under section 1 of this act;

21 (8) Review any reports made by marijuana research licensees under
22 state liquor control board rule and provide the state liquor control
23 board with its determination on whether the research project
24 continues to meet research qualifications under section 1(1) of this
25 act; and

26 (9) Adopt policies and procedures to facilitate the orderly
27 process of grant application, review, and reward.

28 NEW SECTION. Sec. 4. A new section is added to chapter 42.56
29 RCW to read as follows:

30 Reports submitted by marijuana research licensees in accordance
31 with rules adopted by the state liquor control board under section 1
32 of this act that contain proprietary information are exempt from
33 disclosure under this chapter.

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