

SHB 2489 - H AMD 880

By Representative Stokesbary

SCOPE AND OBJECT 02/09/2018

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

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

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20 repealed, regardless of the nature of the code, charter, or home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

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

26 (2)"

27

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

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.

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