
HOUSE BILL 1487

State of Washington

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By Representatives Condotta and Sawyer

Read first time 01/20/17. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to authorizing marijuana retailers to sell
2 marijuana merchandise; amending RCW 69.50.357, 69.50.342, and
3 69.50.345; and reenacting and amending RCW 69.50.101.

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

5 **Sec. 1.** RCW 69.50.357 and 2016 c 171 s 1 are each amended to
6 read as follows:

7 (1) Retail outlets may not sell products or services other than
8 marijuana concentrates, useable marijuana, marijuana-infused
9 products, marijuana merchandise, or paraphernalia intended for the
10 storage or use of marijuana concentrates, useable marijuana, or
11 marijuana-infused products.

12 (2) Licensed marijuana retailers may not employ persons under
13 twenty-one years of age or allow persons under twenty-one years of
14 age to enter or remain on the premises of a retail outlet. However,
15 qualifying patients between eighteen and twenty-one years of age with
16 a recognition card may enter and remain on the premises of a retail
17 outlet holding a medical marijuana endorsement and may purchase
18 products for their personal medical use. Qualifying patients who are
19 under the age of eighteen with a recognition card and who accompany
20 their designated providers may enter and remain on the premises of a

1 retail outlet holding a medical marijuana endorsement, but may not
2 purchase products for their personal medical use.

3 (3)(a) Licensed marijuana retailers must ensure that all
4 employees are trained on the rules adopted to implement this chapter,
5 identification of persons under the age of twenty-one, and other
6 requirements adopted by the state liquor and cannabis board to ensure
7 that persons under the age of twenty-one are not permitted to enter
8 or remain on the premises of a retail outlet.

9 (b) Licensed marijuana retailers with a medical marijuana
10 endorsement must ensure that all employees are trained on the
11 subjects required by (a) of this subsection as well as identification
12 of authorizations and recognition cards. Employees must also be
13 trained to permit qualifying patients who hold recognition cards and
14 are between the ages of eighteen and twenty-one to enter the premises
15 and purchase marijuana for their personal medical use and to permit
16 qualifying patients who are under the age of eighteen with a
17 recognition card to enter the premises if accompanied by their
18 designated providers.

19 (4) Licensed marijuana retailers may not display any signage
20 outside of the licensed premises, other than two signs identifying
21 the retail outlet by the licensee's business or trade name. Each sign
22 must be no larger than one thousand six hundred square inches, be
23 permanently affixed to a building or other structure, and be posted
24 not less than one thousand feet from any elementary school, secondary
25 school, or playground.

26 (5) Except for the purposes of disposal as authorized by the
27 state liquor and cannabis board, no licensed marijuana retailer or
28 employee of a retail outlet may open or consume, or allow to be
29 opened or consumed, any marijuana concentrates, useable marijuana, or
30 marijuana-infused product on the outlet premises.

31 (6) The state liquor and cannabis board must fine a licensee one
32 thousand dollars for each violation of any subsection of this
33 section. Fines collected under this section must be deposited into
34 the dedicated marijuana account created under RCW 69.50.530.

35 **Sec. 2.** RCW 69.50.101 and 2015 2nd sp.s. c 4 s 901 are each
36 reenacted and amended to read as follows:

37 The definitions in this section apply throughout this chapter
38 unless the context clearly requires otherwise.

1 (a) "Administer" means to apply a controlled substance, whether
2 by injection, inhalation, ingestion, or any other means, directly to
3 the body of a patient or research subject by:

4 (1) a practitioner authorized to prescribe (or, by the
5 practitioner's authorized agent); or

6 (2) the patient or research subject at the direction and in the
7 presence of the practitioner.

8 (b) "Agent" means an authorized person who acts on behalf of or
9 at the direction of a manufacturer, distributor, or dispenser. It
10 does not include a common or contract carrier, public
11 warehouseperson, or employee of the carrier or warehouseperson.

12 (c) "CBD concentration" has the meaning provided in RCW
13 69.51A.010.

14 (d) "Commission" means the pharmacy quality assurance commission.

15 (e) "Controlled substance" means a drug, substance, or immediate
16 precursor included in Schedules I through V as set forth in federal
17 or state laws, or federal or commission rules.

18 (f)(1) "Controlled substance analog" means a substance the
19 chemical structure of which is substantially similar to the chemical
20 structure of a controlled substance in Schedule I or II and:

21 (i) that has a stimulant, depressant, or hallucinogenic effect on
22 the central nervous system substantially similar to the stimulant,
23 depressant, or hallucinogenic effect on the central nervous system of
24 a controlled substance included in Schedule I or II; or

25 (ii) with respect to a particular individual, that the individual
26 represents or intends to have a stimulant, depressant, or
27 hallucinogenic effect on the central nervous system substantially
28 similar to the stimulant, depressant, or hallucinogenic effect on the
29 central nervous system of a controlled substance included in Schedule
30 I or II.

31 (2) The term does not include:

32 (i) a controlled substance;

33 (ii) a substance for which there is an approved new drug
34 application;

35 (iii) a substance with respect to which an exemption is in effect
36 for investigational use by a particular person under Section 505 of
37 the federal Food, Drug and Cosmetic Act, 21 U.S.C. Sec. 355, to the
38 extent conduct with respect to the substance is pursuant to the
39 exemption; or

1 (iv) any substance to the extent not intended for human
2 consumption before an exemption takes effect with respect to the
3 substance.

4 (g) "Deliver" or "delivery((τ))" means the actual or constructive
5 transfer from one person to another of a substance, whether or not
6 there is an agency relationship.

7 (h) "Department" means the department of health.

8 (i) "Designated provider" has the meaning provided in RCW
9 69.51A.010.

10 (j) "Dispense" means the interpretation of a prescription or
11 order for a controlled substance and, pursuant to that prescription
12 or order, the proper selection, measuring, compounding, labeling, or
13 packaging necessary to prepare that prescription or order for
14 delivery.

15 (k) "Dispenser" means a practitioner who dispenses.

16 (l) "Distribute" means to deliver other than by administering or
17 dispensing a controlled substance.

18 (m) "Distributor" means a person who distributes.

19 (n) "Drug" means (1) a controlled substance recognized as a drug
20 in the official United States pharmacopoeia/national formulary or the
21 official homeopathic pharmacopoeia of the United States, or any
22 supplement to them; (2) controlled substances intended for use in the
23 diagnosis, cure, mitigation, treatment, or prevention of disease in
24 individuals or animals; (3) controlled substances (other than food)
25 intended to affect the structure or any function of the body of
26 individuals or animals; and (4) controlled substances intended for
27 use as a component of any article specified in (1), (2), or (3) of
28 this subsection. The term does not include devices or their
29 components, parts, or accessories.

30 (o) "Drug enforcement administration" means the drug enforcement
31 administration in the United States Department of Justice, or its
32 successor agency.

33 (p) "Electronic communication of prescription information" means
34 the transmission of a prescription or refill authorization for a drug
35 of a practitioner using computer systems. The term does not include a
36 prescription or refill authorization verbally transmitted by
37 telephone nor a facsimile manually signed by the practitioner.

38 (q) "Immediate precursor" means a substance:

1 (1) that the commission has found to be and by rule designates as
2 being the principal compound commonly used, or produced primarily for
3 use, in the manufacture of a controlled substance;

4 (2) that is an immediate chemical intermediary used or likely to
5 be used in the manufacture of a controlled substance; and

6 (3) the control of which is necessary to prevent, curtail, or
7 limit the manufacture of the controlled substance.

8 (r) "Isomer" means an optical isomer, but in subsection (~~(dd)~~)
9 (ee)(5) of this section, RCW 69.50.204(a) (12) and (34), and
10 69.50.206(b)(4), the term includes any geometrical isomer; in RCW
11 69.50.204(a) (8) and (42), and 69.50.210(c) the term includes any
12 positional isomer; and in RCW 69.50.204(a)(35), 69.50.204(c), and
13 69.50.208(a) the term includes any positional or geometric isomer.

14 (s) "Lot" means a definite quantity of marijuana, marijuana
15 concentrates, useable marijuana, or marijuana-infused product
16 identified by a lot number, every portion or package of which is
17 uniform within recognized tolerances for the factors that appear in
18 the labeling.

19 (t) "Lot number" must identify the licensee by business or trade
20 name and Washington state unified business identifier number, and the
21 date of harvest or processing for each lot of marijuana, marijuana
22 concentrates, useable marijuana, or marijuana-infused product.

23 (u) "Manufacture" means the production, preparation, propagation,
24 compounding, conversion, or processing of a controlled substance,
25 either directly or indirectly or by extraction from substances of
26 natural origin, or independently by means of chemical synthesis, or
27 by a combination of extraction and chemical synthesis, and includes
28 any packaging or repackaging of the substance or labeling or
29 relabeling of its container. The term does not include the
30 preparation, compounding, packaging, repackaging, labeling, or
31 relabeling of a controlled substance:

32 (1) by a practitioner as an incident to the practitioner's
33 administering or dispensing of a controlled substance in the course
34 of the practitioner's professional practice; or

35 (2) by a practitioner, or by the practitioner's authorized agent
36 under the practitioner's supervision, for the purpose of, or as an
37 incident to, research, teaching, or chemical analysis and not for
38 sale.

39 (v) "Marijuana" or "marihuana" means all parts of the plant
40 *Cannabis*, whether growing or not, with a THC concentration greater

1 than 0.3 percent on a dry weight basis; the seeds thereof; the resin
2 extracted from any part of the plant; and every compound,
3 manufacture, salt, derivative, mixture, or preparation of the plant,
4 its seeds or resin. The term does not include the mature stalks of
5 the plant, fiber produced from the stalks, oil or cake made from the
6 seeds of the plant, any other compound, manufacture, salt,
7 derivative, mixture, or preparation of the mature stalks (except the
8 resin extracted therefrom), fiber, oil, or cake, or the sterilized
9 seed of the plant which is incapable of germination.

10 (w) "Marijuana concentrates" means products consisting wholly or
11 in part of the resin extracted from any part of the plant *Cannabis*
12 and having a THC concentration greater than ten percent.

13 (x) "Marijuana merchandise" means wearable apparel that serves to
14 promote or advertise the retail outlet, or a product line sold by the
15 retail outlet, and that has labeling affixed to the wearable apparel
16 that includes:

17 (1) The retail outlet's name, logo, or other symbol associated
18 with the retail outlet; or

19 (2) A name, logo, or other symbol associated with a product line
20 sold by the retail outlet.

21 (y) "Marijuana processor" means a person licensed by the state
22 liquor and cannabis board to process marijuana into marijuana
23 concentrates, useable marijuana, and marijuana-infused products,
24 package and label marijuana concentrates, useable marijuana, and
25 marijuana-infused products for sale in retail outlets, and sell
26 marijuana concentrates, useable marijuana, and marijuana-infused
27 products at wholesale to marijuana retailers.

28 ~~((y))~~ (z) "Marijuana producer" means a person licensed by the
29 state liquor and cannabis board to produce and sell marijuana at
30 wholesale to marijuana processors and other marijuana producers.

31 ~~((z))~~ (aa) "Marijuana products" means useable marijuana,
32 marijuana concentrates, and marijuana-infused products as defined in
33 this section.

34 ~~((aa))~~ (bb) "Marijuana researcher" means a person licensed by
35 the state liquor and cannabis board to produce, process, and possess
36 marijuana for the purposes of conducting research on marijuana and
37 marijuana-derived drug products.

38 ~~((bb))~~ (cc) "Marijuana retailer" means a person licensed by the
39 state liquor and cannabis board to sell marijuana concentrates,
40 useable marijuana, and marijuana-infused products in a retail outlet.

1 (~~(ee)~~) (dd) "Marijuana-infused products" means products that
2 contain marijuana or marijuana extracts, are intended for human use,
3 are derived from marijuana as defined in subsection (v) of this
4 section, and have a THC concentration no greater than ten percent.
5 The term "marijuana-infused products" does not include either useable
6 marijuana or marijuana concentrates.

7 (~~(dd)~~) (ee) "Narcotic drug" means any of the following, whether
8 produced directly or indirectly by extraction from substances of
9 vegetable origin, or independently by means of chemical synthesis, or
10 by a combination of extraction and chemical synthesis:

11 (1) Opium, opium derivative, and any derivative of opium or opium
12 derivative, including their salts, isomers, and salts of isomers,
13 whenever the existence of the salts, isomers, and salts of isomers is
14 possible within the specific chemical designation. The term does not
15 include the isoquinoline alkaloids of opium.

16 (2) Synthetic opiate and any derivative of synthetic opiate,
17 including their isomers, esters, ethers, salts, and salts of isomers,
18 esters, and ethers, whenever the existence of the isomers, esters,
19 ethers, and salts is possible within the specific chemical
20 designation.

21 (3) Poppy straw and concentrate of poppy straw.

22 (4) Coca leaves, except coca leaves and extracts of coca leaves
23 from which cocaine, ecgonine, and derivatives or ecgonine or their
24 salts have been removed.

25 (5) Cocaine, or any salt, isomer, or salt of isomer thereof.

26 (6) Cocaine base.

27 (7) Ecgonine, or any derivative, salt, isomer, or salt of isomer
28 thereof.

29 (8) Any compound, mixture, or preparation containing any quantity
30 of any substance referred to in subparagraphs (1) through (7).

31 (~~(ee)~~) (ff) "Opiate" means any substance having an addiction-
32 forming or addiction-sustaining liability similar to morphine or
33 being capable of conversion into a drug having addiction-forming or
34 addiction-sustaining liability. The term includes opium, substances
35 derived from opium (opium derivatives), and synthetic opiates. The
36 term does not include, unless specifically designated as controlled
37 under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-
38 methylmorphinan and its salts (dextromethorphan). The term includes
39 the racemic and levorotatory forms of dextromethorphan.

1 (~~(ff)~~) (gg) "Opium poppy" means the plant of the species
2 Papaver somniferum L., except its seeds.

3 (~~(gg)~~) (hh) "Person" means individual, corporation, business
4 trust, estate, trust, partnership, association, joint venture,
5 government, governmental subdivision or agency, or any other legal or
6 commercial entity.

7 (~~(hh)~~) (ii) "Plant" has the meaning provided in RCW 69.51A.010.

8 (~~(ii)~~) (jj) "Poppy straw" means all parts, except the seeds, of
9 the opium poppy, after mowing.

10 (~~(jj)~~) (kk) "Practitioner" means:

11 (1) A physician under chapter 18.71 RCW; a physician assistant
12 under chapter 18.71A RCW; an osteopathic physician and surgeon under
13 chapter 18.57 RCW; an osteopathic physician assistant under chapter
14 18.57A RCW who is licensed under RCW 18.57A.020 subject to any
15 limitations in RCW 18.57A.040; an optometrist licensed under chapter
16 18.53 RCW who is certified by the optometry board under RCW 18.53.010
17 subject to any limitations in RCW 18.53.010; a dentist under chapter
18 18.32 RCW; a podiatric physician and surgeon under chapter 18.22 RCW;
19 a veterinarian under chapter 18.92 RCW; a registered nurse, advanced
20 registered nurse practitioner, or licensed practical nurse under
21 chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW
22 who is licensed under RCW 18.36A.030 subject to any limitations in
23 RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific
24 investigator under this chapter, licensed, registered or otherwise
25 permitted insofar as is consistent with those licensing laws to
26 distribute, dispense, conduct research with respect to or administer
27 a controlled substance in the course of their professional practice
28 or research in this state.

29 (2) A pharmacy, hospital or other institution licensed,
30 registered, or otherwise permitted to distribute, dispense, conduct
31 research with respect to or to administer a controlled substance in
32 the course of professional practice or research in this state.

33 (3) A physician licensed to practice medicine and surgery, a
34 physician licensed to practice osteopathic medicine and surgery, a
35 dentist licensed to practice dentistry, a podiatric physician and
36 surgeon licensed to practice podiatric medicine and surgery, a
37 licensed physician assistant or a licensed osteopathic physician
38 assistant specifically approved to prescribe controlled substances by
39 his or her state's medical quality assurance commission or equivalent
40 and his or her supervising physician, an advanced registered nurse

1 practitioner licensed to prescribe controlled substances, or a
2 veterinarian licensed to practice veterinary medicine in any state of
3 the United States.

4 ~~((kk))~~ (ll) "Prescription" means an order for controlled
5 substances issued by a practitioner duly authorized by law or rule in
6 the state of Washington to prescribe controlled substances within the
7 scope of his or her professional practice for a legitimate medical
8 purpose.

9 ~~((ll))~~ (mm) "Production" includes the manufacturing, planting,
10 cultivating, growing, or harvesting of a controlled substance.

11 ~~((mm))~~ (nn) "Qualifying patient" has the meaning provided in
12 RCW 69.51A.010.

13 ~~((nn))~~ (oo) "Recognition card" has the meaning provided in RCW
14 69.51A.010.

15 ~~((oo))~~ (pp) "Retail outlet" means a location licensed by the
16 state liquor and cannabis board for the retail sale of marijuana
17 concentrates, useable marijuana, and marijuana-infused products.

18 ~~((pp))~~ (qq) "Secretary" means the secretary of health or the
19 secretary's designee.

20 ~~((qq))~~ (rr) "State," unless the context otherwise requires,
21 means a state of the United States, the District of Columbia, the
22 Commonwealth of Puerto Rico, or a territory or insular possession
23 subject to the jurisdiction of the United States.

24 ~~((rr))~~ (ss) "THC concentration" means percent of delta-9
25 tetrahydrocannabinol content per dry weight of any part of the plant
26 *Cannabis*, or per volume or weight of marijuana product, or the
27 combined percent of delta-9 tetrahydrocannabinol and
28 tetrahydrocannabinolic acid in any part of the plant *Cannabis*
29 regardless of moisture content.

30 ~~((ss))~~ (tt) "Ultimate user" means an individual who lawfully
31 possesses a controlled substance for the individual's own use or for
32 the use of a member of the individual's household or for
33 administering to an animal owned by the individual or by a member of
34 the individual's household.

35 ~~((tt))~~ (uu) "Useable marijuana" means dried marijuana flowers.
36 The term "useable marijuana" does not include either marijuana-
37 infused products or marijuana concentrates.

38 **Sec. 3.** RCW 69.50.342 and 2015 2nd sp.s. c 4 s 1601 are each
39 amended to read as follows:

1 (1) For the purpose of carrying into effect the provisions of
2 chapter 3, Laws of 2013 according to their true intent or of
3 supplying any deficiency therein, the state liquor and cannabis board
4 may adopt rules not inconsistent with the spirit of chapter 3, Laws
5 of 2013 as are deemed necessary or advisable. Without limiting the
6 generality of the preceding sentence, the state liquor and cannabis
7 board is empowered to adopt rules regarding the following:

8 (a) The equipment and management of retail outlets and premises
9 where marijuana is produced or processed, and inspection of the
10 retail outlets and premises where marijuana is produced or processed;

11 (b) The books and records to be created and maintained by
12 licensees, the reports to be made thereon to the state liquor and
13 cannabis board, and inspection of the books and records;

14 (c) Methods of producing, processing, and packaging marijuana,
15 useable marijuana, marijuana concentrates, and marijuana-infused
16 products; conditions of sanitation; safe handling requirements;
17 approved pesticides and pesticide testing requirements; and standards
18 of ingredients, quality, and identity of marijuana, useable
19 marijuana, marijuana concentrates, and marijuana-infused products
20 produced, processed, packaged, or sold by licensees;

21 (d) Security requirements for retail outlets and premises where
22 marijuana is produced or processed, and safety protocols for
23 licensees and their employees;

24 (e) Screening, hiring, training, and supervising employees of
25 licensees;

26 (f) Retail outlet locations and hours of operation;

27 (g) Labeling requirements and restrictions on advertisement of
28 marijuana, useable marijuana, marijuana concentrates, cannabis health
29 and beauty aids, and marijuana-infused products for sale in retail
30 outlets;

31 (h) Retail product design and marketing standards for marijuana
32 merchandise and other products sold by licensed retailers;

33 (i) Forms to be used for purposes of this chapter and chapter
34 69.51A RCW or the rules adopted to implement and enforce these
35 chapters, the terms and conditions to be contained in licenses issued
36 under this chapter and chapter 69.51A RCW, and the qualifications for
37 receiving a license issued under this chapter and chapter 69.51A RCW,
38 including a criminal history record information check. The state
39 liquor and cannabis board may submit any criminal history record
40 information check to the Washington state patrol and to the

1 identification division of the federal bureau of investigation in
2 order that these agencies may search their records for prior arrests
3 and convictions of the individual or individuals who filled out the
4 forms. The state liquor and cannabis board must require
5 fingerprinting of any applicant whose criminal history record
6 information check is submitted to the federal bureau of
7 investigation;

8 ~~((i))~~ (j) Application, reinstatement, and renewal fees for
9 licenses issued under this chapter and chapter 69.51A RCW, and fees
10 for anything done or permitted to be done under the rules adopted to
11 implement and enforce this chapter and chapter 69.51A RCW;

12 ~~((j))~~ (k) The manner of giving and serving notices required by
13 this chapter and chapter 69.51A RCW or rules adopted to implement or
14 enforce these chapters;

15 ~~((k))~~ (l) Times and periods when, and the manner, methods, and
16 means by which, licensees transport and deliver marijuana, marijuana
17 concentrates, useable marijuana, and marijuana-infused products
18 within the state;

19 ~~((l))~~ (m) Identification, seizure, confiscation, destruction,
20 or donation to law enforcement for training purposes of all
21 marijuana, marijuana concentrates, useable marijuana, and marijuana-
22 infused products produced, processed, sold, or offered for sale
23 within this state which do not conform in all respects to the
24 standards prescribed by this chapter or chapter 69.51A RCW or the
25 rules adopted to implement and enforce these chapters.

26 (2) Rules adopted on retail outlets holding medical marijuana
27 endorsements must be adopted in coordination and consultation with
28 the department.

29 **Sec. 4.** RCW 69.50.345 and 2015 c 70 s 8 are each amended to read
30 as follows:

31 The state liquor and cannabis board, subject to the provisions of
32 this chapter, must adopt rules that establish the procedures and
33 criteria necessary to implement the following:

34 (1) Licensing of marijuana producers, marijuana processors, and
35 marijuana retailers, including prescribing forms and establishing
36 application, reinstatement, and renewal fees.

37 (a) Application forms for marijuana producers must request the
38 applicant to state whether the applicant intends to produce marijuana
39 for sale by marijuana retailers holding medical marijuana

1 endorsements and the amount of or percentage of canopy the applicant
2 intends to commit to growing plants determined by the department
3 under RCW 69.50.375 to be of a THC concentration, CBD concentration,
4 or THC to CBD ratio appropriate for marijuana concentrates, useable
5 marijuana, or marijuana-infused products sold to qualifying patients.

6 (b) The state liquor and cannabis board must reconsider and
7 increase limits on the amount of square feet permitted to be in
8 production on July 24, 2015, and increase the percentage of
9 production space for those marijuana producers who intend to grow
10 plants for marijuana retailers holding medical marijuana endorsements
11 if the marijuana producer designates the increased production space
12 to plants determined by the department under RCW 69.50.375 to be of a
13 THC concentration, CBD concentration, or THC to CBD ratio appropriate
14 for marijuana concentrates, useable marijuana, or marijuana-infused
15 products to be sold to qualifying patients. If current marijuana
16 producers do not use all the increased production space, the state
17 liquor and cannabis board may reopen the license period for new
18 marijuana producer license applicants but only to those marijuana
19 producers who agree to grow plants for marijuana retailers holding
20 medical marijuana endorsements. Priority in licensing must be given
21 to marijuana producer license applicants who have an application
22 pending on July 24, 2015, but who are not yet licensed and then to
23 new marijuana producer license applicants. After January 1, 2017, any
24 reconsideration of the limits on the amount of square feet permitted
25 to be in production to meet the medical needs of qualifying patients
26 must consider information contained in the medical marijuana
27 authorization database established in RCW 69.51A.230;

28 (2) Determining, in consultation with the office of financial
29 management, the maximum number of retail outlets that may be licensed
30 in each county, taking into consideration:

31 (a) Population distribution;

32 (b) Security and safety issues;

33 (c) The provision of adequate access to licensed sources of
34 marijuana concentrates, useable marijuana, and marijuana-infused
35 products to discourage purchases from the illegal market; and

36 (d) The number of retail outlets holding medical marijuana
37 endorsements necessary to meet the medical needs of qualifying
38 patients. The state liquor and cannabis board must reconsider and
39 increase the maximum number of retail outlets it established before
40 July 24, 2015, and allow for a new license application period and a

1 greater number of retail outlets to be permitted in order to
2 accommodate the medical needs of qualifying patients and designated
3 providers. After January 1, 2017, any reconsideration of the maximum
4 number of retail outlets needed to meet the medical needs of
5 qualifying patients must consider information contained in the
6 medical marijuana authorization database established in RCW
7 69.51A.230;

8 (3) Determining the maximum quantity of marijuana a marijuana
9 producer may have on the premises of a licensed location at any time
10 without violating Washington state law;

11 (4) Determining the maximum quantities of marijuana, marijuana
12 concentrates, useable marijuana, and marijuana-infused products a
13 marijuana processor may have on the premises of a licensed location
14 at any time without violating Washington state law;

15 (5) Determining the maximum quantities of marijuana concentrates,
16 useable marijuana, and marijuana-infused products a marijuana
17 retailer may have on the premises of a retail outlet at any time
18 without violating Washington state law;

19 (6) In making the determinations required by this section, the
20 state liquor and cannabis board shall take into consideration:

- 21 (a) Security and safety issues;
- 22 (b) The provision of adequate access to licensed sources of
23 marijuana, marijuana concentrates, useable marijuana, and marijuana-
24 infused products to discourage purchases from the illegal market; and
- 25 (c) Economies of scale, and their impact on licensees' ability to
26 both comply with regulatory requirements and undercut illegal market
27 prices;

28 (7) Determining the nature, form, and capacity of all containers
29 to be used by licensees to contain marijuana, marijuana concentrates,
30 useable marijuana, and marijuana-infused products, and their labeling
31 requirements, to include but not be limited to:

- 32 (a) The business or trade name and Washington state unified
33 business identifier number of the licensees that processed and sold
34 the marijuana, marijuana concentrates, useable marijuana, or
35 marijuana-infused product;
- 36 (b) Lot numbers of the marijuana, marijuana concentrates, useable
37 marijuana, or marijuana-infused product;
- 38 (c) THC concentration and CBD concentration of the marijuana,
39 marijuana concentrates, useable marijuana, or marijuana-infused
40 product;

1 (d) Medically and scientifically accurate information about the
2 health and safety risks posed by marijuana use; and

3 (e) Language required by RCW 69.04.480;

4 (8) In consultation with the department of agriculture and the
5 department, establishing classes of marijuana, marijuana
6 concentrates, useable marijuana, and marijuana-infused products
7 according to grade, condition, cannabinoid profile, THC
8 concentration, CBD concentration, or other qualitative measurements
9 deemed appropriate by the state liquor and cannabis board;

10 (9) Establishing reasonable time, place, and manner restrictions
11 and requirements regarding advertising of marijuana, marijuana
12 concentrates, useable marijuana, and marijuana-infused products that
13 are not inconsistent with the provisions of this chapter, taking into
14 consideration:

15 (a) Federal laws relating to marijuana that are applicable within
16 Washington state;

17 (b) Minimizing exposure of people under twenty-one years of age
18 to the advertising;

19 (c) The inclusion of medically and scientifically accurate
20 information about the health and safety risks posed by marijuana use
21 in the advertising; and

22 (d) Ensuring that retail outlets with medical marijuana
23 endorsements may advertise themselves as medical retail outlets;

24 (10) Establishing retail product design and marketing standards
25 to ensure that marijuana merchandise and other products sold by
26 licensed retailers are not intended to appeal to minors or otherwise
27 encourage marijuana use by minors;

28 (11) Specifying and regulating the time and periods when, and the
29 manner, methods, and means by which, licensees shall transport and
30 deliver marijuana, marijuana concentrates, useable marijuana, and
31 marijuana-infused products within the state;

32 ~~((11))~~ (12) In consultation with the department and the
33 department of agriculture, establishing accreditation requirements
34 for testing laboratories used by licensees to demonstrate compliance
35 with standards adopted by the state liquor and cannabis board, and
36 prescribing methods of producing, processing, and packaging
37 marijuana, marijuana concentrates, useable marijuana, and marijuana-
38 infused products; conditions of sanitation; and standards of
39 ingredients, quality, and identity of marijuana, marijuana

1 concentrates, useable marijuana, and marijuana-infused products
2 produced, processed, packaged, or sold by licensees;

3 ~~((12))~~ (13) Specifying procedures for identifying, seizing,
4 confiscating, destroying, and donating to law enforcement for
5 training purposes all marijuana, marijuana concentrates, useable
6 marijuana, and marijuana-infused products produced, processed,
7 packaged, labeled, or offered for sale in this state that do not
8 conform in all respects to the standards prescribed by this chapter
9 or the rules of the state liquor and cannabis board.

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