
SECOND SUBSTITUTE HOUSE BILL 2227

State of Washington 65th Legislature 2018 Regular Session

By House Appropriations (originally sponsored by Representatives Sawyer and Condotta)

READ FIRST TIME 02/06/18.

1 AN ACT Relating to the laboratory testing of marijuana products;
2 amending RCW 69.50.348; creating new sections; and providing an
3 expiration date.

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

5 **Sec. 1.** RCW 69.50.348 and 2013 c 3 s 11 are each amended to read
6 as follows:

7 (1) On a schedule determined by the state liquor ~~((control))~~ and
8 cannabis board, every licensed marijuana producer and processor must
9 submit representative samples of marijuana, useable marijuana, or
10 marijuana-infused products produced or processed by the licensee to
11 an independent, third-party testing laboratory meeting the
12 accreditation requirements established by the state ~~((liquor control~~
13 ~~board))~~ department of ecology, for inspection and testing to certify
14 compliance with quality assurance and product standards adopted by
15 the state liquor ~~((control))~~ and cannabis board under RCW 69.50.342.
16 Any sample remaining after testing shall be destroyed by the
17 laboratory or returned to the licensee submitting the sample.

18 (2) Licensees must submit the results of this inspection and
19 testing for quality assurance and product standards required under
20 subsection (1) of this section to the state liquor ~~((control))~~ and

1 cannabis board on a form developed by the state liquor (~~control~~)
2 and cannabis board.

3 (3) If a representative sample inspected and tested under this
4 section does not meet the applicable quality assurance and product
5 standards (~~adopted~~) established by the state liquor (~~control~~) and
6 cannabis board, the entire lot from which the sample was taken must
7 be destroyed.

8 (4) The department of ecology may establish and collect fees for
9 the accreditation of marijuana product testing laboratories as
10 required in this section. The department of ecology is authorized to
11 determine, assess, and collect, and each testing laboratory seeking
12 accreditation shall pay, fees sufficient to cover the direct and
13 indirect costs of implementing an accreditation program. The
14 department of ecology must develop by rule a fee schedule allocating
15 the costs of the accreditation program established by this section.
16 The fee schedule shall fully cover, but not exceed, administration
17 costs, program development costs, and oversight costs. The department
18 of ecology must review and update its fee schedule. The costs of
19 marijuana product testing laboratory accreditation are those incurred
20 by the department in administering and enforcing the accreditation
21 program. The costs may include, but are not limited to, the costs
22 incurred in undertaking the following accreditation functions:

23 (a) Evaluating protocols and procedures;

24 (b) Determining the accuracy and reliability of test results,
25 including internal quality assurance and quality control procedures,
26 and proficiency at analyzing test samples;

27 (c) Accrediting laboratories that have been previously accredited
28 by another state agency whose accreditation requirements are deemed
29 satisfactory by the department of ecology; and

30 (d) Such other accreditation activities as the department of
31 ecology deems appropriate.

32 (5) The state department of ecology and the state liquor and
33 cannabis board may each adopt rules necessary to implement this
34 section.

35 NEW SECTION. Sec. 2. By January 15, 2019, the department of
36 ecology must report to the appropriate committees of the legislature
37 with recommendations regarding laboratory accreditation standards
38 that should be applied to marijuana testing laboratories.

1 NEW SECTION. **Sec. 3.** (1) Beginning on the effective date of
2 this section, a nonrefundable additional fee of eighty-six dollars is
3 imposed on all applications and renewals of licenses for marijuana
4 producers, processors, and retailers. The fee applies to all
5 applications and license modifications received on or after the
6 effective date of this section and renewals where the date of the
7 license expiration is on or after June 30, 2018. Revenue collected
8 pursuant to the fee authorized under this section is to be used for
9 research by the state department of ecology in developing
10 accreditation standards for marijuana product testing laboratories
11 and rule making in preparation for establishing an accreditation
12 program for these laboratories. Standards for laboratory
13 accreditation as adopted by the state liquor and cannabis board
14 remain in effect and the state department of ecology must use such
15 standards for the purposes of laboratory accreditation until the
16 state department of ecology's rules to implement standards for
17 laboratory accreditation pursuant to section 1 of this act become
18 effective.

19 (2) This section expires June 30, 2021.

--- END ---