
HOUSE BILL 1358

State of Washington

66th Legislature

2019 Regular Session

By Representatives Kirby, Vick, Blake, and Appleton

Read first time 01/21/19. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to establishing an endorsement to the marijuana
2 retailer's license authorizing delivery services to individuals
3 twenty-one years of age or older; adding a new section to chapter
4 69.50 RCW; providing an effective date; and declaring an emergency.

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

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

8 (1)(a) A marijuana delivery endorsement to a marijuana retailer
9 license is established to permit a qualifying marijuana retailer to
10 deliver marijuana for personal use to any individual twenty-one years
11 of age or older.

12 (b) The marijuana delivery endorsement may be issued only to
13 marijuana retailers licensed pursuant to RCW 69.50.325. Subject to
14 the requirements of this section, this chapter, and the applicable
15 rules, the holder of the endorsement may deliver marijuana products
16 to any individual twenty-one years of age or older, at a private
17 residence, hotel, motel, boarding house, resort, hostel, trailer
18 camp, or similar lodging business.

19 (c) The Washington state liquor and cannabis board shall, by
20 rule, establish the fee for the marijuana delivery endorsement. The
21 amount of the fee must reflect the expected costs of administering

1 the program and may be adjusted by the board to reflect the program's
2 actual costs.

3 (d) A marijuana retailer holding a delivery endorsement under
4 this section may charge a fee to the customer for any delivery made
5 in accordance with this section.

6 (e)(i) Each marijuana delivery endorsement issued under this
7 section applies to only one licensed marijuana retail outlet.

8 (ii) If a person or entity that applies for a marijuana delivery
9 endorsement holds more than one marijuana retailer's license, a
10 separate delivery endorsement is required for each retail outlet from
11 which the license holder wishes to conduct the delivery of marijuana
12 products to individuals twenty-one years of age or older.

13 (2)(a) A delivery of marijuana products by a marijuana retailer
14 with a marijuana delivery endorsement may be made only to an
15 individual twenty-one years of age or older. The person receiving
16 delivery must be the same person who placed the order and must
17 receive delivery at premises of a type described in subsection (1)(b)
18 of this section.

19 (b) Any person delivering marijuana products under this section
20 must be an owner or employee of the licensee holding the marijuana
21 delivery endorsement and must have undergone training regarding
22 verification of age and identity.

23 (3) In accordance with the requirements of this section, the
24 pertinent provisions of this chapter and the applicable rules, a
25 licensed marijuana retailer with a marijuana delivery endorsement
26 may:

27 (a) Receive an order over the telephone or internet, by an
28 individual twenty-one years of age or older for the purchase and
29 delivery of marijuana products; and

30 (b) Deliver marijuana products to the same person who placed the
31 order for the marijuana products over the telephone or internet.

32 (4)(a) An individual twenty-one years of age or older who
33 receives delivery of marijuana products must provide the delivery
34 person with valid identification showing proof of age.

35 (b) The delivery person must confirm the validity of the
36 recipient's identification card through the use of an electronic
37 device or web-based application as required by the Washington state
38 liquor and cannabis board.

1 (5) No advertising related to marijuana or a retail marijuana
2 business may be displayed on a vehicle involved in the delivery of
3 marijuana products under a marijuana delivery endorsement.

4 (6) The Washington state liquor and cannabis board may adopt
5 rules necessary to implement this section and must adopt rules that
6 include the following:

7 (a) Eligibility requirements for the issuance of a marijuana
8 delivery endorsement to a marijuana retailer;

9 (b) Training requirements for persons involved in the delivery of
10 marijuana products;

11 (c) Practices and procedures for conducting compliance tests to
12 ensure that no marijuana products are delivered to a person who does
13 not meet the age requirements established under this section;

14 (d) Civil penalties and other administrative actions, as the
15 board deems appropriate, that may be imposed upon a marijuana
16 delivery endorsement holder that delivers marijuana products to a
17 person under twenty-one years of age;

18 (e) Procedures for age verification;

19 (f) Delivery vehicle requirements;

20 (g) Security requirements;

21 (h) Recordkeeping requirements;

22 (i) Limits on the amounts of marijuana products and money that
23 may be carried in a delivery vehicle;

24 (j) Practices and procedures to ensure that marijuana products
25 delivered under this section are subject to the same traceability
26 requirements applicable to marijuana products sold by a marijuana
27 retailer under this chapter and the rules adopted to implement this
28 chapter; and

29 (k) Penalties for violations of this section or rules adopted to
30 implement this section.

31 (7) It is not a violation of state law, for the owner or employee
32 of a retail marijuana outlet with a medical marijuana delivery
33 endorsement to possess, transport, and deliver marijuana products in
34 amounts that do not exceed the maximum amounts established by the
35 Washington state liquor and cannabis board if the delivery-related
36 activities are consistent with other requirements set forth in this
37 chapter and the rules adopted by the Washington state liquor and
38 cannabis board.

1 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of
3 the state government and its existing public institutions, and takes
4 effect July 1, 2019.

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