
HOUSE BILL 1370

State of Washington

66th Legislature

2019 Regular Session

By Representatives Kloba, Stanford, and Appleton; by request of
Liquor and Cannabis Board

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

1 AN ACT Relating to the creation of additional training
2 requirements for licensed marijuana retailers and their employees;
3 and reenacting and amending RCW 69.50.357.

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

5 **Sec. 1.** RCW 69.50.357 and 2017 c 317 s 13 and 2017 c 131 s 1 are
6 each reenacted and amended to read as follows:

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

12 (b)(i) Retail outlets may receive lockable boxes, intended for
13 the secure storage of marijuana products and paraphernalia, and
14 related literature as a donation from another person or entity, that
15 is not a marijuana producer, processor, or retailer, for donation to
16 their customers.

17 (ii) Retail outlets may donate the lockable boxes and provide the
18 related literature to any person eligible to purchase marijuana
19 products under subsection (2) of this section. Retail outlets may not
20 use the donation of lockable boxes or literature as an incentive or

1 as a condition of a recipient's purchase of a marijuana product or
2 paraphernalia.

3 (iii) Retail outlets may also purchase and sell lockable boxes,
4 provided that the sales price is not less than the cost of
5 acquisition.

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

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

23 (b) Licensed marijuana retailers with a medical marijuana
24 endorsement must ensure that all employees are trained on the
25 subjects required by (a) of this subsection as well as identification
26 of authorizations and recognition cards. Employees must also be
27 trained to permit qualifying patients who hold recognition cards and
28 are between the ages of eighteen and twenty-one to enter the premises
29 and purchase marijuana for their personal medical use and to permit
30 qualifying patients who are under the age of eighteen with a
31 recognition card to enter the premises if accompanied by their
32 designated providers.

33 (c) Beginning July 1, 2020, no marijuana retailer or its
34 employees may perform work involving sale or service of marijuana
35 products to the public unless the individual conducting sale or
36 service activity with the public holds a valid budtender permit. A
37 budtender permit is awarded upon successful completion of a training
38 program provided by the liquor and cannabis board, which is in
39 addition to any training provided under (a) and (b) of this
40 subsection. The liquor and cannabis board must consult with the

1 department of health to ensure the curriculum of the budtender
2 training program provided by the liquor and cannabis board does not
3 include topics related to health or medical issues that are addressed
4 in a training or education program leading to a medical marijuana
5 consultant certificate established pursuant to RCW 69.51A.290. Topics
6 which may be included in both the budtender training program and a
7 medical marijuana consultant certificate training or education
8 program are: State laws and rules related to marijuana, safe handling
9 of marijuana products, and reducing access by minors to marijuana
10 products. A budtender permit is valid for a period of two years
11 unless the liquor and cannabis board takes enforcement action against
12 the permit holder before the expiration of the permit and the permit
13 is suspended or revoked by the liquor and cannabis board. The liquor
14 and cannabis board must establish the elements of the budtender
15 permit program, including permit fees, by rule.

16 (i) The liquor and cannabis board may suspend or revoke a
17 budtender permit if it finds the permit holder has violated or
18 permitted anyone to act in violation of this chapter or chapter
19 69.51A RCW. The liquor and cannabis board must immediately suspend
20 the budtender permit of any person who has been certified under RCW
21 74.20A.320 as being a responsible parent who is not in compliance
22 with a child support order.

23 (ii) Suspension or revocation of an employee's budtender permit
24 does not relieve a marijuana retailer of responsibility for any
25 action by one of its employees under this chapter or chapter 69.51A
26 RCW. The liquor and cannabis board may, in its discretion, revoke or
27 suspend either the budtender permit of an employee or the license of
28 the marijuana retailer on whose premises the violation occurred, or
29 both the budtender permit and the marijuana retailer's license. The
30 liquor and cannabis board's rules implementing this section must
31 include provisions for appeal of its decision to suspend or revoke a
32 budtender permit or the marijuana retailer's license or both the
33 permit and the license.

34 (iii) Budtender permit holders who have their permits suspended
35 for failure to pay child support under RCW 74.20A.320 through
36 74.20A.330 must contact the department of social and health services
37 to have the suspension released, and the department must notify the
38 liquor and cannabis board when it determines the parent's
39 noncompliance status has changed.

1 (iv) Any person who has had a budtender permit revoked may not
2 seek or accept employment in a retail outlet in a position involving
3 sale or service of any marijuana product to the public for a period
4 of at least one year following revocation of the budtender permit. It
5 is a violation of this chapter for a marijuana retailer to provide
6 employment requiring a budtender permit to any person who does not
7 hold a valid budtender permit.

8 (4) Except for the purposes of disposal as authorized by the
9 state liquor and cannabis board, no licensed marijuana retailer or
10 employee of a retail outlet may open or consume, or allow to be
11 opened or consumed, any marijuana concentrates, useable marijuana, or
12 marijuana-infused product on the outlet premises.

13 (5) The state liquor and cannabis board must fine a licensee one
14 thousand dollars for each violation of any subsection of this
15 section. Fines collected under this section must be deposited into
16 the dedicated marijuana account created under RCW 69.50.530.

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