H-4323.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 2960**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 65th Legislature 2018 Regular Session**

**By** Representative Klippert

AN ACT Relating to authorizing local governments to enact ordinances requiring that all marijuana be cultivated indoors in a fully enclosed and secure structure; adding a new section to chapter 69.50 RCW; and adding a new section to chapter 69.51A RCW.

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

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

(1) A city, town, or county may enact an ordinance requiring that the cultivation of marijuana by a marijuana producer licensed under this chapter, or by any other person or entity, must be conducted indoors within a fully enclosed and secure structure. An ordinance enacted under this section may provide for civil legal sanctions or remedies, administrative penalties or remedies, or punishment as an infraction, for violations of the ordinance.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, trimming, or storing of marijuana plants or any part thereof.

(b) "Fully enclosed and secure structure" means a fully enclosed space within a building that has a complete roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors. Walls and roofs must be constructed of solid materials that cannot be easily broken through such as two-inch by four-inch nominal or thicker studs overlaid by three-eighths inch or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products do not satisfy the structural requirements of this subsection.

NEW SECTION. **Sec.**  A new section is added to chapter 69.51A RCW to read as follows:

(1) A city, town, or county may enact an ordinance requiring that the cultivation of marijuana by any person, entity, qualifying medical marijuana patient, designated provider, or medical marijuana cooperative must be conducted indoors within a fully enclosed and secure structure. An ordinance enacted under this section may provide for civil legal sanctions or remedies, administrative penalties or remedies, or punishment as an infraction, for violations of the ordinance.

(2) For the purposes of this section:

(a) "Cultivation" has the meaning provided in section 1 of this act.

(b) "Fully enclosed and secure structure" has the meaning provided in section 1 of this act.

**--- END ---**