
HOUSE BILL 1712

State of Washington

65th Legislature

2017 Regular Session

By Representatives Sawyer and Condotta

Read first time 01/26/17. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to establishing an endorsement to the marijuana
2 retailer's license to authorize marijuana delivery services; and
3 adding a new section to chapter 69.50 RCW.

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

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

7 (1) There is a marijuana delivery endorsement to a marijuana
8 retailer's license that authorizes the holder to deliver marijuana
9 products to a person age twenty-one or over at a private residence,
10 hotel, motel, boarding house, resort, hostel, trailer camp, or
11 similar lodging business.

12 (2)(a) The state liquor and cannabis board may issue a delivery
13 endorsement only to a qualified applicant, as determined by the
14 board, that holds a marijuana retailer license issued pursuant to RCW
15 69.50.325 and the premises of which is located in a local
16 jurisdiction that authorizes the delivery of marijuana products
17 pursuant to an ordinance. The state liquor and cannabis board has
18 discretion in determining whether an applicant is qualified to
19 receive a delivery endorsement.

20 (b)(i) A local jurisdiction may authorize the delivery of
21 marijuana products only by ordinance.

1 (ii) A copy of the local jurisdiction's ordinance must be
2 transmitted to the state liquor and cannabis board.

3 (c)(i) The state liquor and cannabis board shall establish the
4 fee for the delivery endorsement.

5 (ii) The amount of the fee must reflect the expected costs of
6 administering the program and may subsequently be adjusted by the
7 state liquor and cannabis board to reflect the program's actual
8 costs.

9 (d) The state liquor and cannabis board may, after examining the
10 overall characteristics of the commercial marijuana market in local
11 jurisdictions that authorize marijuana delivery and the
12 qualifications of applicants for the delivery endorsement, limit the
13 number of delivery endorsements issued or stop issuing delivery
14 endorsements.

15 (e)(i) Each delivery endorsement issued pursuant to this section
16 applies to only one licensed marijuana retail outlet.

17 (ii) If a person or entity that applies for a delivery
18 endorsement holds more than one marijuana retailer's license, a
19 separate delivery endorsement is required for each marijuana retail
20 outlet from which the holder wishes to conduct the delivery of
21 marijuana products.

22 (3)(a) A delivery of marijuana products by a marijuana retailer
23 with a delivery endorsement may be made only to a person age twenty-
24 one or over who is the same person who placed the order and who
25 receives the delivery at a premises described in subsection (1) of
26 this section that is located within a local jurisdiction that
27 authorizes the delivery of marijuana products.

28 (b) The holder of a delivery endorsement may utilize not more
29 than two delivery vehicles per work shift.

30 (c) Any person delivering marijuana products must be an owner or
31 employee of the licensed marijuana retailer with the delivery
32 endorsement and must have undergone training regarding proof of age
33 identification and verification.

34 (4) In accordance with this section and rules adopted to
35 implement this section, a licensed marijuana retailer with a delivery
36 endorsement may:

37 (a) Receive an order over the telephone or internet, by a person
38 age twenty-one or over, for the purchase and delivery of marijuana
39 products not in excess of the amounts authorized in RCW 69.50.360(3);
40 and

1 (b) Deliver marijuana products not in excess of the amounts
2 authorized in RCW 69.50.360(3), to the same person age twenty-one or
3 over who placed the order for the marijuana products over the
4 telephone or internet.

5 (5)(a) A person placing an order for the purchase and delivery of
6 marijuana products in accordance with this section must possess valid
7 identification and must allow the marijuana retailer with the
8 delivery endorsement or its owner or employee to inspect the person's
9 valid identification for proof of age.

10 (b) The marijuana retailer with a delivery endorsement or its
11 owner or employee must confirm the validity of the person's
12 identification utilizing an electronic device or web-based
13 application as required by the state liquor and cannabis board.

14 (6)(a) The state liquor and cannabis board must subject each
15 licensed marijuana retailer with an endorsement issued in accordance
16 with this section to at least four random tests per year of operation
17 to ensure that no marijuana products are delivered to a person who is
18 under age twenty-one.

19 (b) The state liquor and cannabis board may contract with a local
20 jurisdiction that has authorized marijuana delivery to conduct some
21 or all of the four random tests of a marijuana retailer with a
22 delivery endorsement.

23 (7) All provisions of this chapter and all rules adopted pursuant
24 to this chapter apply to the sale and delivery of marijuana products
25 by a licensed marijuana retailer with a delivery endorsement issued
26 in accordance with this section.

27 (8) It is not a violation of any provision of state law, civil or
28 criminal, for a marijuana retail outlet with a delivery endorsement,
29 or its owner or employee who is trained in accordance with rules
30 adopted pursuant to this section, to possess, transport, and deliver
31 marijuana products pursuant to a delivery endorsement in amounts that
32 do not exceed amounts established by the state liquor and cannabis
33 board.

34 (9) No marijuana advertising may be displayed on a vehicle that
35 delivers marijuana products pursuant to a delivery endorsement issued
36 under this section.

37 (10) The state liquor and cannabis board may adopt rules to
38 implement this section. The rules must include the following:

39 (a) Eligibility requirements for qualified licensed marijuana
40 retailers;

1 (b) Training requirements for owners or employees of marijuana
2 retailers that hold a delivery endorsement who will deliver marijuana
3 products pursuant to this section;
4 (c) Procedures for proof of age identification and verification;
5 (d) Delivery vehicle requirements;
6 (e) Security requirements;
7 (f) Recordkeeping requirements;
8 (g) Limits on the amounts of marijuana products and money that
9 may be carried in a delivery vehicle;
10 (h) Practices and procedures to ensure that marijuana products
11 delivered pursuant to this section are subject to the same
12 traceability requirement that otherwise apply to marijuana products
13 sold by a licensed marijuana retailer pursuant to this chapter and
14 rules adopted to implement this chapter; and
15 (i) Penalties for violations of this section or rules adopted to
16 implement this section.

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