
HOUSE BILL 2076

State of Washington

65th Legislature

2017 Regular Session

By Representatives Condotta, Senn, Stokesbary, Tharinger, Koster, Volz, Chapman, Hayes, Wylie, McDonald, and Young

Read first time 02/10/17. Referred to Committee on Appropriations.

1 AN ACT Relating to increasing marijuana revenue distributed to
2 local jurisdictions; and amending RCW 69.50.540.

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

4 **Sec. 1.** RCW 69.50.540 and 2015 3rd sp.s. c 4 s 967 are each
5 amended to read as follows:

6 The legislature must annually appropriate moneys in the dedicated
7 marijuana account created in RCW 69.50.530 as follows:

8 (1) For the purposes listed in this subsection (1), the
9 legislature must appropriate to the respective agencies amounts
10 sufficient to make the following expenditures on a quarterly basis:

11 (a) Beginning July 1, 2015, one hundred twenty-five thousand
12 dollars to the department of social and health services to design and
13 administer the Washington state healthy youth survey, analyze the
14 collected data, and produce reports, in collaboration with the office
15 of the superintendent of public instruction, department of health,
16 department of commerce, family policy council, and state liquor and
17 cannabis board. The survey must be conducted at least every two years
18 and include questions regarding, but not necessarily limited to,
19 academic achievement, age at time of substance use initiation,
20 antisocial behavior of friends, attitudes toward antisocial behavior,
21 attitudes toward substance use, laws and community norms regarding

1 antisocial behavior, family conflict, family management, parental
2 attitudes toward substance use, peer rewarding of antisocial
3 behavior, perceived risk of substance use, and rebelliousness. Funds
4 disbursed under this subsection may be used to expand administration
5 of the healthy youth survey to student populations attending
6 institutions of higher education in Washington;

7 (b) Beginning July 1, 2015, fifty thousand dollars to the
8 department of social and health services for the purpose of
9 contracting with the Washington state institute for public policy to
10 conduct the cost-benefit evaluation and produce the reports described
11 in RCW 69.50.550. This appropriation ends after production of the
12 final report required by RCW 69.50.550;

13 (c) Beginning July 1, 2015, five thousand dollars to the
14 University of Washington alcohol and drug abuse institute for the
15 creation, maintenance, and timely updating of web-based public
16 education materials providing medically and scientifically accurate
17 information about the health and safety risks posed by marijuana use;

18 (d) An amount not less than one million two hundred fifty
19 thousand dollars to the state liquor and cannabis board for
20 administration of this chapter as appropriated in the omnibus
21 appropriations act;

22 (e) Twenty-three thousand seven hundred fifty dollars to the
23 department of enterprise services provided solely for the state
24 building code council established under RCW 19.27.070, to develop and
25 adopt fire and building code provisions related to marijuana
26 processing and extraction facilities. The distribution under this
27 subsection (1)(e) is for fiscal year 2016 only;

28 (2) From the amounts in the dedicated marijuana account after
29 appropriation of the amounts identified in subsection (1) of this
30 section, the legislature must appropriate for the purposes listed in
31 this subsection (2) as follows:

32 (a)(i) Up to fifteen percent to the department of social and
33 health services division of behavioral health and recovery for the
34 development, implementation, maintenance, and evaluation of programs
35 and practices aimed at the prevention or reduction of maladaptive
36 substance use, substance use disorder, substance abuse or substance
37 dependence, as these terms are defined in the Diagnostic and
38 Statistical Manual of Mental Disorders, among middle school and high
39 school-age students, whether as an explicit goal of a given program
40 or practice or as a consistently corresponding effect of its

1 implementation, mental health services for children and youth, and
2 services for pregnant and parenting women; PROVIDED, That:

3 (A) Of the funds appropriated under (a)(i) of this subsection for
4 new programs and new services, at least eighty-five percent must be
5 directed to evidence-based or research-based programs and practices
6 that produce objectively measurable results and, by September 1,
7 2020, are cost-beneficial; and

8 (B) Up to fifteen percent of the funds appropriated under (a)(i)
9 of this subsection for new programs and new services may be directed
10 to proven and tested practices, emerging best practices, or promising
11 practices.

12 (ii) In deciding which programs and practices to fund, the
13 secretary of the department of social and health services must
14 consult, at least annually, with the University of Washington's
15 social development research group and the University of Washington's
16 alcohol and drug abuse institute.

17 (iii) For the fiscal year beginning July 1, 2016, the legislature
18 must appropriate a minimum of twenty-seven million seven hundred
19 eighty-six thousand dollars, and for each subsequent fiscal year
20 thereafter, the legislature must appropriate a minimum of twenty-five
21 million five hundred thirty-six thousand dollars under this
22 subsection (2)(a);

23 (b)(i) Up to ten percent to the department of health for the
24 following, subject to (b)(ii) of this subsection (2):

25 (A) Creation, implementation, operation, and management of a
26 marijuana education and public health program that contains the
27 following:

28 (I) A marijuana use public health hotline that provides referrals
29 to substance abuse treatment providers, utilizes evidence-based or
30 research-based public health approaches to minimizing the harms
31 associated with marijuana use, and does not solely advocate an
32 abstinence-only approach;

33 (II) A grants program for local health departments or other local
34 community agencies that supports development and implementation of
35 coordinated intervention strategies for the prevention and reduction
36 of marijuana use by youth; and

37 (III) Media-based education campaigns across television,
38 internet, radio, print, and out-of-home advertising, separately
39 targeting youth and adults, that provide medically and scientifically

1 accurate information about the health and safety risks posed by
2 marijuana use;

3 (B) The Washington poison control center; and

4 (C) During the 2015-2017 fiscal biennium, the funds appropriated
5 under this subsection (2)(b) may be used for prevention activities
6 that target youth and populations with a high incidence of tobacco
7 use.

8 (ii) For the fiscal year beginning July 1, 2016, the legislature
9 must appropriate a minimum of seven million five hundred thousand
10 dollars and for each subsequent fiscal year thereafter, the
11 legislature must appropriate a minimum of nine million seven hundred
12 fifty thousand dollars under this subsection (2)(b);

13 (c)(i) Up to six-tenths of one percent to the University of
14 Washington and four-tenths of one percent to Washington State
15 University for research on the short and long-term effects of
16 marijuana use, to include but not be limited to formal and informal
17 methods for estimating and measuring intoxication and impairment, and
18 for the dissemination of such research.

19 (ii) For the fiscal year beginning July 1, 2016, the legislature
20 must appropriate a minimum of two hundred seven thousand dollars and
21 for each subsequent fiscal year, the legislature must appropriate a
22 minimum of one million twenty-one thousand dollars to the University
23 of Washington. For the fiscal year beginning July 1, 2016, the
24 legislature must appropriate a minimum of one hundred thirty-eight
25 thousand dollars and for each subsequent fiscal year thereafter, a
26 minimum of six hundred eighty-one thousand dollars to Washington
27 State University under this subsection (2)(c);

28 (d) Fifty percent to the state basic health plan trust account to
29 be administered by the Washington basic health plan administrator and
30 used as provided under chapter 70.47 RCW;

31 (e) Five percent to the Washington state health care authority to
32 be expended exclusively through contracts with community health
33 centers to provide primary health and dental care services, migrant
34 health services, and maternity health care services as provided under
35 RCW 41.05.220;

36 (f)(i) Up to three-tenths of one percent to the office of the
37 superintendent of public instruction to fund grants to building
38 bridges programs under chapter 28A.175 RCW.

39 (ii) For the fiscal year beginning July 1, 2016, and each
40 subsequent fiscal year, the legislature must appropriate a minimum of

1 five hundred eleven thousand dollars to the office of the
2 superintendent of public instruction under this subsection (2)(f);
3 and

4 (g) At the end of each fiscal year, the treasurer must transfer
5 any amounts in the dedicated marijuana account that are not
6 appropriated pursuant to subsection (1) of this section and this
7 subsection (2) into the general fund, except as provided in (g)(i) of
8 this subsection (2).

9 (i) Beginning in fiscal year 2018, if marijuana excise tax
10 collections deposited into the general fund in the prior fiscal year
11 exceed twenty-five million dollars, then each fiscal year the
12 legislature must appropriate an amount equal to thirty percent of all
13 marijuana excise taxes deposited into the general fund the prior
14 fiscal year to the treasurer for distribution to counties, cities,
15 and towns as follows:

16 (A) Thirty percent must be distributed to counties, cities, and
17 towns where licensed marijuana retailers are physically located. Each
18 jurisdiction must receive a share of the revenue distribution under
19 this subsection (2)(g)(i)(A) based on the proportional share of the
20 total revenues generated in the individual jurisdiction from the
21 taxes collected under RCW 69.50.535, from licensed marijuana
22 retailers physically located in each jurisdiction. For purposes of
23 this subsection (2)(g)(i)(A), one hundred percent of the proportional
24 amount attributed to a retailer physically located in a city or town
25 must be distributed to the city or town.

26 (B) Seventy percent must be distributed to counties, cities, and
27 towns ratably on a per capita basis. Counties must receive sixty
28 percent of the distribution, which must be disbursed based on each
29 county's total proportional population. Funds may only be distributed
30 to jurisdictions that do not prohibit the siting of any state
31 licensed marijuana producer, processor, or retailer.

32 (ii) Distribution amounts allocated to each county, city, and
33 town must be distributed in four installments by the last day of each
34 fiscal quarter.

35 (iii) By September 15th of each year, the state liquor and
36 cannabis board must provide the state treasurer the annual
37 distribution amount, if any, for each county and city as determined
38 in (g)(i) of this subsection (2).

39 (iv) The total share of marijuana excise tax revenues distributed
40 to counties and cities in (g)(i) of this subsection (2) may not

1 exceed (~~fifteen~~) twenty million dollars in fiscal (~~years 2018 and~~
2 ~~2019 and twenty~~) year 2018, thirty million dollars in fiscal year
3 2019, and forty million dollars per fiscal year thereafter. For any
4 fiscal year in which the total transfer to the general fund
5 established under this subsection (2)(g) is not greater than the
6 previous year's transfer by at least five million dollars, the cap
7 established by this subsection (2)(g)(iv) will remain the same as the
8 previous year's cap.

9 For the purposes of this section, "marijuana products" means
10 "useable marijuana," "marijuana concentrates," and "marijuana-infused
11 products" as those terms are defined in RCW 69.50.101.

--- END ---