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HOUSE BILL 2960

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State of Washington

65th Legislature

2018 Regular Session

By Representative Klippert

Read first time 01/30/18. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to authorizing local governments to enact  
2 ordinances requiring that all marijuana be cultivated indoors in a  
3 fully enclosed and secure structure; adding a new section to chapter  
4 69.50 RCW; and adding a new section to chapter 69.51A RCW.

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

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

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

20 (b) "Fully enclosed and secure structure" means a fully enclosed  
21 space within a building that has a complete roof, a foundation, slab

1 or equivalent base to which the floor is secured by bolts or similar  
2 attachments, is secure against unauthorized entry, and is accessible  
3 only through one or more lockable doors. Walls and roofs must be  
4 constructed of solid materials that cannot be easily broken through  
5 such as two-inch by four-inch nominal or thicker studs overlaid by  
6 three-eighths inch or thicker plywood or the equivalent. Plastic  
7 sheeting, regardless of gauge, or similar products do not satisfy the  
8 structural requirements of this subsection.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 69.51A  
10 RCW to read as follows:

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

19 (2) For the purposes of this section:

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

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

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