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**HOUSE BILL 2199**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Representatives Klippert, Shewmake, and Dent

AN ACT Relating to marijuana use in guest rooms of hotels, motels, and inns in violation of the owner or operator's rules; amending RCW 69.50.445; and prescribing penalties.

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

**Sec.**  RCW 69.50.445 and 2015 2nd sp.s. c 4 s 401 are each amended to read as follows:

(1)(a) It is unlawful to open a package containing marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates, or consume marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates, in view of the general public or in a public place.

(b) It is unlawful to smoke marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates, in a guest room of a hotel, motel, or inn, when the rental agreement between the owner or operator and the guest expressly prohibits smoking marijuana in the guest room. A hotel, motel, or inn may prohibit the smoking of marijuana in any or all guest rooms.

(c) It is unlawful to consume, by means of vaporization or aerosolization, marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates, in a guest room of a hotel, motel, or inn, when the rental agreement between the owner or operator and the guest expressly prohibits the consumption of marijuana by means of vaporization or aerosolization in the guest room. A hotel, motel, or inn may prohibit the consumption of marijuana and marijuana products by means of vaporization or aerosolization in any or all guest rooms.

(2) For the purposes of this section((~~,~~)):

(a) "Hotel, motel, or inn" means any facility that meets the definition of "transient accommodation" in RCW 70.62.210(1);

(b) "Public place" has the same meaning as defined in RCW 66.04.010, but the exclusions in RCW 66.04.011 do not apply; and

(c) "Smoke" means to combust marijuana or a marijuana product with or without the use of a pipe, joint, blunt, paper, or smoking device.

(3) A person who violates this section is guilty of a class 3 civil infraction under chapter 7.80 RCW.

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