SENATE BILL REPORT
SB 6033

As of January 24, 2020

Title: An act relating to the safety and security of retail marijuana outlets.

Brief Description: Concerning the safety and security of retail marijuana outlets.

Sponsors: Senators Keiser, King and Holy.

Brief History:
    Committee Activity: Labor & Commerce: 1/23/20.

Brief Summary of Bill

- Requires law enforcement agencies to forward the offense report for a robbery in the first or second degree occurring at a marijuana retail outlet to the Washington State Patrol (WSP).

- Requires WSP to provide details of the robbery incidents to the Liquor and Cannabis Board within ten days of receipt.

- Adds a 12-month sentencing enhancement, if the robbery was premeditated and done in concert with another individual or individuals.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Richard Rodger (786-7461)

Background: Robbery is committed when a person unlawfully takes personal property from, or in the presence of, another person against that person's will by use or threatened use of immediate force, violence, or fear of injury to a person or property.

A person is guilty of robbery in the first degree if the person is armed with a deadly weapon, displays an apparent firearm or deadly weapon, or inflicts bodily injury during the robbery or immediate flight from the robbery; or the person commits robbery within and against a financial institution.

Robbery in the second degree is any other robbery.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Robbery in the first or second degree of a pharmacy is subject to a special allegation, when proven beyond a reasonable doubt, which subjects the offender to an additional 12-month sentencing enhancement.

There is no current ability to track the number of robberies that occur at licensed retail marijuana outlets.

Summary of Bill: Law enforcement agencies must forward the offense reports regarding any incident of robbery in the first or second degree of a retail outlet to the WSP within ten days of making the report, if there is probable cause. The report does not have to be sent if the case is under active investigation. The WSP must provide details of incidents of these robberies to the Liquor and Cannabis Board within ten days of receipt of the reports.

A special allegation may be brought against a person who commits robbery in the first or second degree of a marijuana retail outlet, if it was a premeditated act and done in concert with another individual or individuals. Upon a conviction of this type of robbery and if the special allegation is proven, a 12-month sentencing enhancement is added to the offender's standard sentencing range.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Robberies a significant concern for the owners and employees who work in marijuana retail outlets, as the products are usually sold on a cash basis. There is a concern that criminal organizations might be developing a coordinated effort to rob these stores. We lack sufficient data regarding these crimes, because there no state-level reporting requirement. We appreciate the bill as it provides some additional protections for these businesses.

OTHER: We agree with the reporting concept and are very concerned about the criminal activity. We suggest instead of the current construct, that the legislation direct the business owners to report these offenses directly to the Liquor and Cannabis Board.

Persons Testifying: PRO: Senator Karen Keiser, Prime Sponsor; Kyle Capizzi, Executive Director, Craft Cannabis Coalition.

OTHER: James McMahan, Washington Association Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying: No one.