

2SHB 2320 - S COMM AMD

By Committee on Labor & Commerce

ADOPTED AS AMENDED 02/29/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that there is a
4 growing body of research evidencing that consuming cannabis with high
5 concentrations of THC may be harmful to some people, including
6 younger persons and persons who have or are at risk for developing
7 certain mental health conditions or psychotic disorders. Products
8 like THC-infused vape oils, shatter, and dabs can contain close to
9 100 percent THC, and may carry risks not commonly associated with
10 consumption of useable cannabis flower or other cannabis products
11 with relatively lower THC concentrations. In the interest of public
12 health, the legislature intends to review studies and consider
13 increasing the minimum legal age of sale of high THC cannabis
14 products to age 25, and the legislature intends to require caution
15 notices, developed by the department of health, to be posted at the
16 point of sale in cannabis retail outlets to raise awareness about
17 possible health impacts and risks associated with high THC cannabis.
18 The legislature further intends to implement and study health
19 interventions, gather data, and ensure that new research, data, and
20 information concerning the impacts of high THC cannabis continues to
21 be incorporated into state policy.

22 NEW SECTION. **Sec. 2.** The legislature intends to provide the
23 department of health with recurring funding available each fiscal
24 year, beginning in fiscal year 2025, to allow the department of
25 health to issue requests for proposals and contract for targeted
26 public health messages and social marketing campaigns directed toward
27 individuals most likely to suffer negative impacts of high THC
28 products including persons under 25 years of age and persons living
29 with mental health challenges. Messages and media campaigns funded
30 must include information about risks, comparative dosing of cannabis

1 products, and resources for persons seeking support for quitting or
2 decreasing their intake of tetrahydrocannabinol. The content of
3 public health messages and social marketing campaigns must be
4 developed in partnership with persons targeted by the messages and
5 campaigns and in consultation with professionals proficient in public
6 health communication and in cannabis research.

7 NEW SECTION. **Sec. 3.** By July 1, 2025, the department of health
8 must develop an optional training that cannabis retail staff may
9 complete to better understand the health and safety impacts of high
10 THC cannabis products. In developing the optional training, the
11 department of health must consult with cannabis retail staff,
12 cannabis consumers, persons who have been harmed by high THC
13 products, health care providers, prevention professionals,
14 researchers with relevant expertise, behavioral health providers, and
15 representatives of licensed cannabis businesses.

16 **Sec. 4.** RCW 69.50.357 and 2022 c 16 s 71 are each amended to
17 read as follows:

18 (1)(a) Retail outlets may not sell products or services other
19 than cannabis concentrates, useable cannabis, cannabis-infused
20 products, or paraphernalia intended for the storage or use of
21 cannabis concentrates, useable cannabis, or cannabis-infused
22 products.

23 (b)(i) Retail outlets may receive lockable boxes, intended for
24 the secure storage of cannabis products and paraphernalia, and
25 related literature as a donation from another person or entity, that
26 is not a cannabis producer, processor, or retailer, for donation to
27 their customers.

28 (ii) Retail outlets may donate the lockable boxes and provide the
29 related literature to any person eligible to purchase cannabis
30 products under subsection (2) of this section. Retail outlets may not
31 use the donation of lockable boxes or literature as an incentive or
32 as a condition of a recipient's purchase of a cannabis product or
33 paraphernalia.

34 (iii) Retail outlets may also purchase and sell lockable boxes,
35 provided that the sales price is not less than the cost of
36 acquisition.

37 (2) Licensed cannabis retailers may not employ persons under
38 twenty-one years of age or allow persons under twenty-one years of

1 age to enter or remain on the premises of a retail outlet. However,
2 qualifying patients between eighteen and twenty-one years of age with
3 a recognition card may enter and remain on the premises of a retail
4 outlet holding a medical cannabis endorsement and may purchase
5 products for their personal medical use. Qualifying patients who are
6 under the age of eighteen with a recognition card and who accompany
7 their designated providers may enter and remain on the premises of a
8 retail outlet holding a medical cannabis endorsement, but may not
9 purchase products for their personal medical use.

10 (3) (a) Licensed cannabis retailers must ensure that all employees
11 are trained on the rules adopted to implement this chapter,
12 identification of persons under the age of twenty-one, and other
13 requirements adopted by the board to ensure that persons under the
14 age of twenty-one are not permitted to enter or remain on the
15 premises of a retail outlet.

16 (b) Licensed cannabis retailers with a medical cannabis
17 endorsement must ensure that all employees are trained on the
18 subjects required by (a) of this subsection as well as identification
19 of authorizations and recognition cards. Employees must also be
20 trained to permit qualifying patients who hold recognition cards and
21 are between the ages of eighteen and twenty-one to enter the premises
22 and purchase cannabis for their personal medical use and to permit
23 qualifying patients who are under the age of eighteen with a
24 recognition card to enter the premises if accompanied by their
25 designated providers.

26 (4) Except for the purposes of disposal as authorized by the
27 board, no licensed cannabis retailer or employee of a retail outlet
28 may open or consume, or allow to be opened or consumed, any cannabis
29 concentrates, useable cannabis, or cannabis-infused product on the
30 outlet premises.

31 (5) (a) By December 31, 2024, licensed cannabis retailers shall
32 post a conspicuous notice at the point of sale in retail outlets with
33 information about: (i) The potential health risks and adverse health
34 impacts that may be associated with the consumption of high THC
35 cannabis; (ii) the potentially much higher risks that may be present
36 for younger persons under age 25 as well as for persons who have or
37 are at risk for developing certain mental health conditions or
38 psychotic disorders; and (iii) where to find help in case of negative
39 effects and resources for quitting or reducing cannabis consumption.

1 The notice must be the same or substantially the same as the notice
2 developed by the department of health under this subsection (5).

3 (b) The department of health shall develop the notice required
4 under this section and make it available to licensed cannabis
5 retailers. The notice must, at a minimum, identify the information
6 specified in (a)(i) through (iii) of this subsection, and may include
7 additional information.

8 (6) The board must fine a licensee one thousand dollars for each
9 violation of any subsection of this section. Fines collected under
10 this section must be deposited into the dedicated cannabis account
11 created under RCW 69.50.530.

12 NEW SECTION. Sec. 5. A new section is added to chapter 28B.20
13 RCW to read as follows:

14 (1) Subject to amounts appropriated for this specific purpose,
15 the University of Washington addictions, drug, and alcohol institute
16 must develop, implement, test, and evaluate guidance and health
17 interventions for health care providers and patients at risk for
18 developing serious complications due to cannabis consumption who are
19 seeking care in emergency departments, primary care settings,
20 behavioral health settings, other health care facilities, and for use
21 by state poison control and recovery hotlines to promote cannabis use
22 reduction and cessation for the following populations:

23 (a) Youth and adults at high risk of adverse mental health
24 impacts from use of high THC cannabis;

25 (b) Youth and adults who have experienced a cannabis-induced
26 first episode psychosis but do not have a diagnosis of a psychotic
27 disorder; and

28 (c) Youth and adults who have a diagnosed psychotic disorder and
29 use cannabis.

30 (2) The University of Washington addictions, drug, and alcohol
31 institute must submit a preliminary report to the appropriate
32 committees of the legislature summarizing the progress toward
33 developing and testing health interventions and recruiting patients
34 and health care facilities to participate by December 1, 2025. The
35 institute must provide a progress report on initial outcomes of the
36 health interventions for participating patients and health care
37 facilities by July 1, 2027. The institute must submit a final report
38 to the appropriate committees of the legislature summarizing the

1 results of the interventions and any recommendations for
2 implementation of health interventions by December 1, 2028.

3 (3) A contract entered under the authorization in this section
4 must include, in the scope of work, data gathering on adverse health
5 impacts occurring in Washington associated with consumption of high
6 THC cannabis, and data gathered must be included in the reports
7 submitted to the legislature under this section.

8 (4) This section expires December 31, 2028.

9 NEW SECTION. **Sec. 6.** If specific funding for the purposes of
10 this act, referencing this act by bill or chapter number, is not
11 provided by June 30, 2024, in the omnibus appropriations act, this
12 act is null and void."

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13 On page 1, line 4 of the title, after "psychosis;" strike the
14 remainder of the title and insert "amending RCW 69.50.357; adding a
15 new section to chapter 28B.20 RCW; creating new sections; and
16 providing an expiration date."

EFFECT: • Legislative intent is provided regarding funding to be provided to the Department of Health (DOH) to allow DOH to issue requests for proposals and contract for targeted public health messages and social marketing campaigns directed toward individuals most likely to suffer negative impacts of high THC products including persons under 25 years of age, persons reporting poor mental health, and persons living with mental health challenges.

• Provides that the UW Addictions, Drug, and Alcohol Institute, rather than the Health Care Authority, must develop guidance and health interventions for health care providers and patients at risk for developing serious complications due to cannabis consumption seeking care in certain settings.

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