

WSR 23-13-129
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD

[Filed June 21, 2023, 11:16 a.m.]

Subject of Possible Rule Making: Chapter 314-55 WAC; the Washington state liquor and cannabis board (board) is considering rule making to implement E2SSB 5367 (chapter 365, Laws of 2023) enacted during the 2023 legislative session concerning the regulation of products containing tetrahydrocannabinol (THC). As part of this rule making, the board is considering creating new, and amending or repealing existing rule throughout chapter 314-55 WAC as necessary to implement E2SSB 5367.

Statutes Authorizing the Agency to Adopt Rules on this Subject: E2SSB 5367 (chapter 365, Laws of 2023); RCW 69.50.342 and 69.50.345.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules may be needed to implement the following provisions of E2SSB 5367:

- Amending the definition of "cannabis," "cannabis products," and "THC concentration" in the Uniform Controlled Substances Act (UCSA);
- Adding new definitions of "package" and "unit" to the UCSA and amending other definitions;
- Modifying the permitted activities regarding the enhancement of cannabidiol concentration in certain cannabis products;
- Amending the product labeling requirements to reference cannabis product "package" instead of "container";
- Prohibiting any person from manufacturing, selling, or distributing cannabis products without a valid state-issued license;
- Prohibiting the production, processing, manufacturing, or sale of any synthetically derived, or completely synthetic cannabinoid, with limited exceptions; and
- Other relevant provisions as necessary to align the current rules within the scope of E2SSB 5367.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cassidy West, Policy and Rules Coordinator, P.O. Box 43080, Olympia, WA 98504, phone 360-878-4235, fax 360-704-5027, email rules@lcb.wa.gov, website lcb.wa.gov.

Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WALCB/subscriber/new>. Rule-making notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the board's website at lcb.wa.gov.

June 21, 2023
David Postman
Chair