

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2772

Chapter 317, Laws of 1998

55th Legislature
1998 Regular Session

DRUG PARAPHERNALIA--PENALTIES

EFFECTIVE DATE: 6/11/98

Passed by the House February 13, 1998
Yeas 94 Nays 4

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate March 10, 1998
Yeas 39 Nays 9

BRAD OWEN
President of the Senate

Approved April 3, 1998

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 2772** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 3, 1998 - 2:20 p.m.

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2772

Passed Legislature - 1998 Regular Session

State of Washington 55th Legislature 1998 Regular Session

By Representatives McDonald and Kastama

Read first time 01/20/98. Referred to Committee on Law & Justice.

1 AN ACT Relating to drug paraphernalia; adding a new section to
2 chapter 26.28 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 26.28 RCW
5 to read as follows:

6 (1) Every person who sells or gives, or permits to be sold or given
7 to any person any drug paraphernalia in any form commits a class I
8 civil infraction under chapter 7.80 RCW. For purposes of this
9 subsection, "drug paraphernalia" means all equipment, products, and
10 materials of any kind which are used, intended for use, or designed for
11 use in planting, propagating, cultivating, growing, harvesting,
12 manufacturing, compounding, converting, producing, processing,
13 preparing, testing, analyzing, packaging, repackaging, storing,
14 containing, concealing, injecting, ingesting, inhaling, or otherwise
15 introducing into the human body a controlled substance. Drug
16 paraphernalia includes, but is not limited to objects used, intended
17 for use, or designed for use in ingesting, inhaling, or otherwise
18 introducing marihuana, cocaine, hashish, or hashish oil into the human
19 body, such as:

1 (a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes
2 with or without screens, permanent screens, hashish heads, or punctured
3 metal bowls;

4 (b) Water pipes;

5 (c) Carburetion tubes and devices;

6 (d) Smoking and carburetion masks;

7 (e) Roach clips: Meaning objects used to hold burning material,
8 such as a marihuana cigarette, that has become too small or too short
9 to be held in the hand;

10 (f) Miniature cocaine spoons and cocaine vials;

11 (g) Chamber pipes;

12 (h) Carburetor pipes;

13 (i) Electric pipes;

14 (j) Air-driven pipes;

15 (k) Chillums;

16 (l) Bongs; and

17 (m) Ice pipes or chillers.

18 (2) It shall be no defense to a prosecution for a violation of this
19 section that the person acted, or was believed by the defendant to act,
20 as agent or representative of another.

21 (3) Nothing in subsection (1) of this section prohibits legal
22 distribution of injection syringe equipment through public health and
23 community based HIV prevention programs.

Passed the House February 13, 1998.

Passed the Senate March 10, 1998.

Approved by the Governor April 3, 1998.

Filed in Office of Secretary of State April 3, 1998.