5903 AMH COG OSBO 118

**SB 5903** - H COMM AMD

By Committee on Commerce & Gaming

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A retailer licensed under this chapter may use a vending machine for the retail sale of useable marijuana, marijuana concentrates, and marijuana-infused products, subject to approval from the board prior to the installation or use of the machine in the licensed premises.

(2) The board is granted general authority to adopt rules necessary for the implementation of this section, including, but not limited to, rules governing:

(a) The operational characteristics of the vending machines;

(b) Identification and age verification processes and requirements for customers who make purchases from the machines;

(c) The location of vending machines within the licensed premises and measures to prevent access to the machines by persons under age 21;

(d) The types and quantities of marijuana-related products that may be purchased from the vending machines; and

(e) Signs and labeling that must be affixed to vending machines pertaining to public health and safety notifications, legal warnings and requirements, and other disclosures and information as deemed necessary by the board.

(3) The products sold through vending machines, and the use of such machines, must comply with the pertinent provisions of this chapter regarding the retail sale of useable marijuana, marijuana concentrates, and marijuana-infused products.

(4) For the purposes of this section, "vending machine" means a machine or other mechanical device that accepts payment and:

(a) Dispenses tangible personal property; or

(b) Provides a service to the buyer.

NEW SECTION. **Sec. 2.** A new section is added to chapter 69.50 RCW to read as follows:

(1) A retailer licensed under this chapter is prohibited from operating a drive-through purchase facility where marijuana concentrates, marijuana-infused products, or useable marijuana are sold at retail and dispensed through a window or door to a purchaser who is either in or on a motor vehicle or otherwise located outside of the licensed premises at the time of sale.

(2) The state liquor control board may not issue, transfer, or renew a marijuana retail license for any licensee in violation of the provisions of subsection (1) of this section."

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|  | EFFECT: (1) Authorizes the use of vending machines by a licensed marijuana retailer, provided such use is approved by the Liquor Control Board and complies with specified regulations; and (2) strikes the criminal penalty for the unlawful operation of a drive-through purchase facility at the premises of a licensed marijuana retailer, but allows for monetary and other regulatory sanctions by the Liquor Control Board for such violations. |

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