

# FINAL BILL REPORT

## SB 5121

---

---

C 71 L 15  
Synopsis as Enacted

**Brief Description:** Establishing a marijuana research license.

**Sponsors:** Senators Kohl-Welles, Rivers, Bailey, Pedersen, Liias, McAuliffe, Frockt, Chase, Keiser and Hatfield.

**Senate Committee on Health Care**  
**House Committee on Health Care & Wellness**  
**House Committee on Commerce & Gaming**  
**House Committee on Appropriations**

**Background:** In 2012 voters approved Initiative 502 which established a regulatory system for the production, processing, and distribution of limited amounts of marijuana for non-medical purposes. Under this system, the Liquor Control Board (LCB) issues licenses to marijuana producers, processors, and retailers and adopts standards for the regulation of these operations.

A marijuana producer license permits a licensee to produce, harvest, trim, dry, cure, and package marijuana into lots for sale at wholesale to marijuana processor licensees and to other marijuana producer licensees. A marijuana producer can also produce and sell marijuana plants, seed, and plant tissue culture to other marijuana producer licensees. A marijuana processor license allows the licensee to process, package, and label usable marijuana and marijuana-infused products for sale at wholesale to marijuana retailers. A marijuana retailer license allows the licensee to sell only usable marijuana, marijuana-infused products, and marijuana paraphernalia at retail in retail outlets to persons 21 years of age and older. None of these licenses permit a person to grow marijuana for research purposes.

The Controlled Substances Therapeutic Research Act was adopted by the Legislature in 1979. It established a Controlled Substances Therapeutic Research Program (Program) to be administered by the Pharmacy Quality Assurance Commission. The Program was limited to cancer chemotherapy and radiology patients and glaucoma patients who are certified by a patient qualification review committee as being involved in a life-threatening or sense-threatening situation. The Program does not grow marijuana for its use. It is permitted to use marijuana that has been confiscated by local or state law enforcement agencies.

In 2011 the Legislature authorized both the University of Washington (UW) and Washington State University (WSU) to conduct scientific research on the efficacy and safety of

---

*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.*

administering marijuana as part of medical treatment. As part of this research, UW and WSU were authorized to develop and conduct studies to ascertain the general medical safety and efficacy of marijuana and permitted to develop medical guidelines for the appropriate administration and use of marijuana. No provision was made for either university to grow marijuana or to otherwise obtain marijuana.

The Life Sciences Discovery Fund (LSDF) was established in 2005 to foster growth of the state's life sciences sector and improve the health and economic wellbeing of the State's residents. LSDF invests monies from the Master Tobacco Settlement Agreement in research and development across Washington that demonstrate the strongest potential for delivering health and economic returns to the state.

**Summary:** A marijuana research license is established to permit a licensee to produce and possess marijuana to test chemical potency and composition levels; conduct clinical investigations of marijuana-derived drug products; conduct research on the efficacy and safety of administering marijuana as part of a medical treatment; and conduct genomic or agricultural research.

Marijuana research license applicants must submit to LSDF a description of the research it intends to conduct. LSDF must review the project and determine if it meets one of the permitted research purposes. The application is rejected if LSDF does not find that the project is for a permitted research purpose.

A licensee may only sell marijuana it produces to other marijuana research licensees. The licensee may contract with UW or WSU to perform research in conjunction with the university.

The application fee for a marijuana research license is \$250. The annual fee for issuance and renewal of the license is \$1,000. Fifty percent of the application fee and renewal fees must be deposited to the LSDF.

**Votes on Final Passage:**

Senate	45	3
House	95	0

**Effective:** July 24, 2015