2489-S.E AMS PADD TREM 105

**ESHB 2489** - S AMD TO S-5789.1 **957**

By Senator Padden

On page 37, after line 14, insert the following:

NEW SECTION. (1) The state of Washington fully occupies and preempts the entire field of safe injection site regulation within the boundaries of the state, including the registration, licensing, possession, purchase, sale, acquisition, transfer, use, authorization, or any other element relating to safe injection sites. Cities, towns, and counties or other municipalities may only enact laws and ordinances relating to safe injection sites that are specifically authorized by state law and are consistent with this chapter. Such local ordinances have the same penalty as provided for by state law. Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law may not be enacted and are preempted and repealed, regardless of the nature of the code, charter, or home rule status of the enacting city, town, county, or municipality.

(2) Each local health board must provide annual certification to the legislature and state board of health that no private or public safe injection sites are operating in its local health department jurisdiction.

(3) Any expenditure made related to safe injection sites voids any claim made against the general fund and will result in the denial of all funding claims until the state, health district, or county is able to certify and report to the state board of health and legislature that there are no safe injection sites operating within its jurisdiction.

(4) For purposes of this section, "safe injection site" means any building, structure, site, facility, or program, including but not limited to safe consumption or safe injection programs, with a function of providing a space or area for either use or consumption, or both, of federally controlled substances."

NEW SECTION. The secretary of the state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, In accordance with Article II, Section 1 of the state Constitution and the laws adopted to facilitate its operation.

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|  | EFFECT:   * Permits Washington State to preempt the entire field of safe injection site regulation in the state. * Local governments may only enact laws and ordinances relating to safe injection sites that are specifically authorized by state law. * Any local government expenditures relating to safe injection sites void any claim made by it against the state General Fund. * All funding claims by the local government will be denied until the state, health district, or county is able to certify that there are no safe injection sites operating within its jurisdiction. * Adds a referendum clause. |

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