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**HOUSE BILL 1092**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representative Appleton

AN ACT Relating to authorizing home production of recreational marijuana; and amending RCW 69.50.4013.

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

**Sec.**  RCW 69.50.4013 and 2015 2nd sp.s. c 4 s 503 are each amended to read as follows:

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3)(a) The possession, by a person twenty-one years of age or older, of useable marijuana, marijuana concentrates, or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(b) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

(4)(a) Subject to the requirements in this subsection (4), the possession by a person twenty-one years of age or older of no more than six marijuana plants and up to twenty-four ounces of useable marijuana harvested from lawfully grown plants is not a violation of this section, this chapter, or any other provision of Washington state law, provided:

(i) The plants are grown and possessed only within the premises of the housing unit in which the person resides; and

(ii) The useable marijuana has been harvested from plants lawfully grown within the premises of the housing unit in which the person resides and is not removed from the premises in amounts exceeding one ounce.

(b) No more than twelve marijuana plants and forty-eight ounces of useable marijuana may be possessed, in the aggregate, by the adult residents of a single housing unit, regardless of the number of persons twenty-one years of age or older residing in the housing unit.

(c) This subsection (4) does not apply to marijuana plants or useable marijuana possessed at a location other than the premises of the housing unit in which the marijuana plants were lawfully grown.

(5) No person under twenty-one years of age may possess, manufacture, sell, or distribute marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

((~~(5)~~)) (6) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

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