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**SENATE BILL 6172**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senators Rivers, Palumbo, and Mullet

AN ACT Relating to private label marijuana; and amending RCW 69.50.395.

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

**Sec.**  RCW 69.50.395 and 2017 c 317 s 16 are each amended to read as follows:

(1)(a) A licensed marijuana business may enter into a licensing agreement, or consulting contract, with any individual, partnership, employee cooperative, association, nonprofit corporation, or corporation, for:

((~~(a)~~)) (i) Any goods or services that are registered as a trademark under federal law or under chapter 19.77 RCW;

((~~(b)~~)) (ii) Any unregistered trademark, trade name, or trade dress; or

((~~(c)~~)) (iii) Any trade secret, technology, or proprietary information used to manufacture a ((~~cannabis~~)) marijuana product or used to provide a service related to a marijuana business.

((~~(2)~~)) (b) All agreements or contracts entered into by a licensed marijuana business, as authorized under this section, must be disclosed to the state liquor and cannabis board.

(2) Nothing in RCW 69.50.328 or this chapter prohibits business arrangements through which a marijuana product is offered or sold at retail by a marijuana retailer under a private label bearing the business or trade name of the marijuana retailer, or of an entity other than the marijuana producer or processor that produced or processed the marijuana product, so long as:

(a) The marijuana retailer offering or selling the marijuana product does not have an exclusive right to sell the marijuana product; and

(b) The marijuana product is reasonably available to any marijuana retailer.

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