
Commerce & Gaming Committee

HB 1092

Brief Description: Authorizing home production of recreational marijuana.

Sponsors: Representative Appleton.

Brief Summary of Bill

- Legalizes the home cultivation of up to six recreational marijuana plants, subject to specified conditions.
- Legalizes the residential possession of up to 24 ounces of useable marijuana harvested from plants lawfully grown in the residence, subject to specified conditions.

Hearing Date: 1/23/17

Staff: Thamas Osborn (786-7129).

Background:

Initiative 502 and the Cultivation of Recreational Marijuana Plants.

Neither Initiative 502 (I-502) nor subsequently enacted legislation have legalized the private cultivation of recreational marijuana. Under the I-502 regulatory system, only licensed producers and researchers may cultivate or possess recreational marijuana plants. Accordingly, with the exception of authorized medical marijuana patients, medical marijuana cooperatives, state-licensed marijuana producers and licensed researchers, the cultivation and/or possession of marijuana plants by private citizens remains a criminal offense punishable as a felony.

Summary of Bill:

Lawful Cultivation and Possession of Marijuana Plants / Useable Marijuana Derived from Lawfully Grown Plants.

The cultivation and possession of up to six marijuana plants by a person 21 years of age or older is lawful, subject to the following conditions:

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- the plants are grown and possessed only within the premises of the housing unit in which the grower resides; and
- no more than 12 plants may be grown or possessed on the premises of a single housing unit, regardless of the number of adult residents living on the premises.

An adult may legally possess up to a maximum of 24 ounces of home-grown useable marijuana harvested from plants lawfully grown on the premises of the housing unit occupied by the person in possession of the useable marijuana. However, such possession is legal only within the premises of the housing unit in which the marijuana plants were lawfully grown. If lawfully grown useable marijuana is removed from the premises of the housing unit in which it was grown, the possessor of such marijuana is subject to the one ounce possession limit while outside the premises. Not more than 48 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 21 years of age or older residing in the housing unit.

Appropriation: None.

Fiscal Note: Requested on January 20, 2017.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.