
SUBSTITUTE HOUSE BILL 2227

State of Washington

65th Legislature

2018 Regular Session

By House Commerce & Gaming (originally sponsored by Representatives Sawyer and Condotta)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to the laboratory testing of marijuana products;
2 amending RCW 69.50.348; and creating a new section.

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

4 **Sec. 1.** RCW 69.50.348 and 2013 c 3 s 11 are each amended to read
5 as follows:

6 (1) On a schedule determined by the state liquor ~~((control))~~ and
7 cannabis board, every licensed marijuana producer and processor must
8 submit representative samples of marijuana, useable marijuana, or
9 marijuana-infused products produced or processed by the licensee to
10 an independent, third-party testing laboratory meeting the
11 accreditation requirements established by the state ~~((liquor control~~
12 ~~board))~~ department of ecology, for inspection and testing to certify
13 compliance with quality assurance and product standards adopted by
14 the state liquor ~~((control))~~ and cannabis board under RCW 69.50.342.
15 Any sample remaining after testing shall be destroyed by the
16 laboratory or returned to the licensee submitting the sample.

17 (2) Licensees must submit the results of this inspection and
18 testing for quality assurance and product standards required under
19 subsection (1) of this section to the state liquor ~~((control))~~ and
20 cannabis board on a form developed by the state liquor ~~((control))~~
21 and cannabis board.

1 (3) If a representative sample inspected and tested under this
2 section does not meet the applicable quality assurance and product
3 standards ((adopted)) established by the state liquor ((control)) and
4 cannabis board, the entire lot from which the sample was taken must
5 be destroyed.

6 (4) The department of ecology may establish and collect fees for
7 the accreditation of marijuana product testing laboratories as
8 required in this section. The department of ecology is authorized to
9 determine, assess, and collect, and each testing laboratory seeking
10 accreditation shall pay, fees sufficient to cover the direct and
11 indirect costs of implementing an accreditation program. The
12 department of ecology must develop by rule a fee schedule allocating
13 the costs of the accreditation program established by this section.
14 The fee schedule shall fully cover, but not exceed, administration
15 costs, program development costs, and oversight costs. The department
16 of ecology must review and update its fee schedule. The costs of
17 marijuana product testing laboratory accreditation are those incurred
18 by the department in administering and enforcing the accreditation
19 program. The costs may include, but are not limited to, the costs
20 incurred in undertaking the following accreditation functions:

21 (a) Evaluating protocols and procedures;

22 (b) Determining the accuracy and reliability of test results,
23 including internal quality assurance and quality control procedures,
24 and proficiency at analyzing test samples;

25 (c) Accrediting laboratories that have been previously accredited
26 by another state agency whose accreditation requirements are deemed
27 satisfactory by the department of ecology; and

28 (d) Such other accreditation activities as the department of
29 ecology deems appropriate.

30 (5) The state department of ecology and the state liquor and
31 cannabis board may each adopt rules necessary to implement this
32 section.

33 NEW SECTION. Sec. 2. By January 15, 2019, the department of
34 ecology must report to the appropriate committees of the legislature
35 with recommendations regarding laboratory accreditation standards
36 that should be applied to marijuana testing laboratories.

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