
Commerce & Gaming Committee

HB 2359

Brief Description: Creating a certificate of compliance for marijuana business premises that meet the statutory qualifications at the time of application.

Sponsors: Representatives Vick and Wylie.

Brief Summary of Bill

- Requires the Liquor and Cannabis Board to issue a certificate of compliance for marijuana business premises that meet the statutory distance requirements at the time of application.
- Provides that a certificate of compliance allows the licensee to operate the business at the proposed location notwithstanding a later occurring, otherwise disqualifying factor.

Hearing Date: 1/30/20

Staff: Kyle Raymond (786-7190).

Background:

The Liquor and Cannabis Board (LCB) is generally prohibited from issuing a marijuana license for any premises within 1,000 feet of an elementary or secondary school, playground, recreation center, child care center, public park, public transit center, library, or game arcade admission that is not restricted to a person age 21 or older.

A local government may adopt an ordinance that reduces the 1,000 foot buffer zone to not less than 100 feet of a recreation center, child care center, public park, public transit center, library, or game arcade admission that is not restricted to a person age 21 or older. The LCB may issue a license to marijuana producers, processors, and retailers in compliance with a local distance-reduction ordinance, so long as the issuance of the license will not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A local government may adopt an ordinance that reduces the 1,000 foot buffer zone to not less than 100 feet of all of the above listed entities/facilities for the purpose of licensing a marijuana research facility. However, the issuance of the research license must not negatively impact the jurisdiction's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

Further, before issuing or renewing a marijuana research license for a premises located within 1,000 feet but not less than 100 feet of an elementary school, secondary school, or playground in compliance with a local distance-reduction ordinance, the LCB must ensure the facility meets the following requirements:

- The facility must meet a security standard exceeding the standard applicable to marijuana producer, processor, or retailer licensees.
- The facility must be inaccessible to the public and no part of the operation of the facility may be in view of the general public.
- The facility may bear no advertising or signage indicating it is a marijuana research facility.

Summary of Bill:

The Liquor and Cannabis Board (LCB) must issue a certificate of compliance for marijuana business premises that meet the buffer zone requirements in statute. The LCB must issue the certificate of compliance at the time of the application.

The certificate allows the licensee to operate the business at the proposed location notwithstanding a later occurring, otherwise disqualifying factor.

The certificate of compliance must be issued on the date of the application.

Appropriation: None.

Fiscal Note: Available.

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