

# SENATE BILL REPORT

## SB 6033

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As Reported by Senate Committee On:  
Labor & Commerce, February 3, 2020

**Title:** An act relating to the safety and security of retail marijuana outlets.

**Brief Description:** Concerning the safety and security of retail marijuana outlets.

**Sponsors:** Senators Keiser, King and Holy.

**Brief History:**

**Committee Activity:** Labor & Commerce: 1/23/20, 2/03/20 [DPS, w/oRec].

**Brief Summary of First Substitute Bill**

- Requires marijuana retail outlets to provide details of any robbery or attempted robbery to the Liquor and Cannabis Board (LCB) within ten days.
- Requires the LCB's chief enforcement officer to consult with the Washington State Patrol regarding the reported robbery incidents.
- Adds a 12-month sentencing enhancement, if the robbery was premeditated and done in concert with another individual or individuals.

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### SENATE COMMITTEE ON LABOR & COMMERCE

**Majority Report:** That Substitute Senate Bill No. 6033 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña, Schoesler, Stanford, Walsh and Wellman.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Braun.

**Staff:** Richard Rodger (786-7461)

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*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.*

**Background:** Robbery is committed when a person unlawfully takes personal property from, or in the presence of, another person against that person's will by use or threatened use of immediate force, violence, or fear of injury to a person or property.

A person is guilty of robbery in the first degree if the person is armed with a deadly weapon, displays an apparent firearm or deadly weapon, or inflicts bodily injury during the robbery or immediate flight from the robbery; or the person commits robbery within and against a financial institution.

Robbery in the second degree is any other robbery.

Robbery in the first or second degree of a pharmacy is subject to a special allegation, when proven beyond a reasonable doubt, which subjects the offender to an additional 12-month sentencing enhancement.

There is no current ability to track the number of robberies that occur at licensed retail marijuana outlets.

**Summary of Bill (First Substitute):** Each marijuana retail outlet must report any attempt or incident of robbery to the LCB within ten days of the incident. The LCB's chief enforcement officer must consult with the Washington State Patrol (WSP) to provide details of the incidents, and to discuss any evidence indicating a pattern of, or coordinated effort by, a criminal enterprise.

**EFFECT OF CHANGES MADE BY LABOR & COMMERCE COMMITTEE (First Substitute):** Removes the requirement that law enforcement must report robberies of marijuana retail outlets to the WSP and WSP's reporting requirement to the LCB. Each marijuana retail outlet must report any attempt or incident of robbery to the LCB within ten days of the incident. The LCB's chief enforcement officer must consult with the WSP concerning the reported incidents.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: Robberies a significant concern for the owners and employees who work in marijuana retail outlets, as the products are usually sold on a cash basis. There is a concern that criminal organizations might be developing a coordinated effort to rob these stores. We lack sufficient data regarding these crimes, because there no state-level reporting requirement. We appreciate the bill as it provides some additional protections for these businesses.

OTHER: We agree with the reporting concept and are very concerned about the criminal activity. We suggest instead of the current construct, that the legislation direct the business owners to report these offenses directly to the Liquor and Cannabis Board.

**Persons Testifying:** PRO: Senator Karen Keiser, Prime Sponsor; Kyle Capizzi, Executive Director, Craft Cannabis Coalition.

OTHER: James McMahan, Washington Association Sheriffs and Police Chiefs.

**Persons Signed In To Testify But Not Testifying:** No one.