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**SUBSTITUTE HOUSE BILL 1370**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** House Commerce & Gaming (originally sponsored by Representatives Kloba, Stanford, and Appleton; by request of Liquor and Cannabis Board)

READ FIRST TIME 02/12/19.

1 AN ACT Relating to the creation of additional training  
2 requirements for licensed marijuana retailers and their employees;  
3 and reenacting and amending RCW 69.50.357.

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

5 **Sec. 1.** RCW 69.50.357 and 2017 c 317 s 13 and 2017 c 131 s 1 are  
6 each reenacted and amended to read as follows:

7 (1)(a) Retail outlets may not sell products or services other  
8 than marijuana concentrates, useable marijuana, marijuana-infused  
9 products, or paraphernalia intended for the storage or use of  
10 marijuana concentrates, useable marijuana, or marijuana-infused  
11 products.

12 (b)(i) Retail outlets may receive lockable boxes, intended for  
13 the secure storage of marijuana products and paraphernalia, and  
14 related literature as a donation from another person or entity, that  
15 is not a marijuana producer, processor, or retailer, for donation to  
16 their customers.

17 (ii) Retail outlets may donate the lockable boxes and provide the  
18 related literature to any person eligible to purchase marijuana  
19 products under subsection (2) of this section. Retail outlets may not  
20 use the donation of lockable boxes or literature as an incentive or

1 as a condition of a recipient's purchase of a marijuana product or  
2 paraphernalia.

3 (iii) Retail outlets may also purchase and sell lockable boxes,  
4 provided that the sales price is not less than the cost of  
5 acquisition.

6 (2) Licensed marijuana retailers may not employ persons under  
7 twenty-one years of age or allow persons under twenty-one years of  
8 age to enter or remain on the premises of a retail outlet. However,  
9 qualifying patients between eighteen and twenty-one years of age with  
10 a recognition card may enter and remain on the premises of a retail  
11 outlet holding a medical marijuana endorsement and may purchase  
12 products for their personal medical use. Qualifying patients who are  
13 under the age of eighteen with a recognition card and who accompany  
14 their designated providers may enter and remain on the premises of a  
15 retail outlet holding a medical marijuana endorsement, but may not  
16 purchase products for their personal medical use.

17 (3) (a) Licensed marijuana retailers must ensure that all  
18 employees are trained on the rules adopted to implement this chapter,  
19 identification of persons under the age of twenty-one, and other  
20 requirements adopted by the state liquor and cannabis board to ensure  
21 that persons under the age of twenty-one are not permitted to enter  
22 or remain on the premises of a retail outlet.

23 (b) Licensed marijuana retailers with a medical marijuana  
24 endorsement must ensure that all employees are trained on the  
25 subjects required by (a) of this subsection as well as identification  
26 of authorizations and recognition cards. Employees must also be  
27 trained to permit qualifying patients who hold recognition cards and  
28 are between the ages of eighteen and twenty-one to enter the premises  
29 and purchase marijuana for their personal medical use and to permit  
30 qualifying patients who are under the age of eighteen with a  
31 recognition card to enter the premises if accompanied by their  
32 designated providers.

33 (c) Beginning July 1, 2020, no marijuana retailer or its  
34 employees may perform work involving sale or service of marijuana  
35 products to the public unless the individual conducting sale or  
36 service activity with the public holds a valid budtender permit. For  
37 employees performing work involving sale or service of marijuana  
38 products to the public who are hired on or after July 1, 2020, the  
39 employee must obtain a valid budtender permit within sixty calendar  
40 days of the date of hire. A budtender permit is awarded upon

1 successful completion of a training program provided by the liquor  
2 and cannabis board, which is in addition to any training provided  
3 under (a) and (b) of this subsection. The liquor and cannabis board  
4 must consult with the department of health to ensure the curriculum  
5 of the budtender training program provided by the liquor and cannabis  
6 board does not include topics related to health or medical issues  
7 that are addressed in a training or education program leading to a  
8 medical marijuana consultant certificate established pursuant to RCW  
9 69.51A.290. Topics which may be included in both the budtender  
10 training program and a medical marijuana consultant certificate  
11 training or education program are: State laws and rules related to  
12 marijuana, safe handling of marijuana products, and reducing access  
13 by minors to marijuana products. A budtender permit is valid for a  
14 period of two years unless the liquor and cannabis board takes  
15 enforcement action against the permit holder before the expiration of  
16 the permit and the permit is suspended or revoked by the liquor and  
17 cannabis board. The liquor and cannabis board must establish the  
18 elements of the budtender permit program, including permit fees, by  
19 rule.

20 (i) The liquor and cannabis board may suspend or revoke a  
21 budtender permit if it finds the permit holder has violated or  
22 permitted anyone to act in violation of this chapter or chapter  
23 69.51A RCW. The liquor and cannabis board must immediately suspend  
24 the budtender permit of any person who has been certified under RCW  
25 74.20A.320 as being a responsible parent who is not in compliance  
26 with a child support order.

27 (ii) Suspension or revocation of an employee's budtender permit  
28 does not relieve a marijuana retailer of responsibility for any  
29 action by one of its employees under this chapter or chapter 69.51A  
30 RCW. The liquor and cannabis board may, in its discretion, revoke or  
31 suspend either the budtender permit of an employee or the license of  
32 the marijuana retailer on whose premises the violation occurred, or  
33 both the budtender permit and the marijuana retailer's license. The  
34 liquor and cannabis board's rules implementing this section must  
35 include provisions for appeal of its decision to suspend or revoke a  
36 budtender permit or the marijuana retailer's license or both the  
37 permit and the license.

38 (iii) Budtender permit holders who have their permits suspended  
39 for failure to pay child support under RCW 74.20A.320 through  
40 74.20A.330 must contact the department of social and health services

1 to have the suspension released, and the department must notify the  
2 liquor and cannabis board when it determines the parent's  
3 noncompliance status has changed.

4 (iv) Any person who has had a budtender permit revoked may not  
5 seek or accept employment in a retail outlet in a position involving  
6 sale or service of any marijuana product to the public for a period  
7 of at least one year following revocation of the budtender permit. It  
8 is a violation of this chapter for a marijuana retailer to provide  
9 employment requiring a budtender permit to any person who does not  
10 hold a valid budtender permit.

11 (4) Except for the purposes of disposal as authorized by the  
12 state liquor and cannabis board, no licensed marijuana retailer or  
13 employee of a retail outlet may open or consume, or allow to be  
14 opened or consumed, any marijuana concentrates, useable marijuana, or  
15 marijuana-infused product on the outlet premises.

16 (5) The state liquor and cannabis board must fine a licensee one  
17 thousand dollars for each violation of any subsection of this  
18 section. Fines collected under this section must be deposited into  
19 the dedicated marijuana account created under RCW 69.50.530.

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