
SENATE BILL 5468

State of Washington

67th Legislature

2021 Regular Session

By Senators Mullet, Hobbs, Braun, Brown, Hawkins, Holy, King, Muzzall, Padden, Rivers, Salomon, Schoesler, Short, Wagoner, Warnick, and Wilson, L.

Read first time 03/01/21. Referred to Committee on Law & Justice.

1 AN ACT Relating to knowing possession of a controlled substance;
2 reenacting and amending RCW 69.50.4013; and declaring an emergency.

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

4 **Sec. 1.** RCW 69.50.4013 and 2017 c 317 s 15 are each reenacted
5 and amended to read as follows:

6 (1) It is unlawful for any person to knowingly possess a
7 controlled substance unless the substance was obtained directly from,
8 or pursuant to, a valid prescription or order of a practitioner while
9 acting in the course of his or her professional practice, or except
10 as otherwise authorized by this chapter.

11 (2) Except as provided in RCW 69.50.4014, any person who violates
12 this section is guilty of a class C felony punishable under chapter
13 9A.20 RCW.

14 (3)(a) The possession, by a person twenty-one years of age or
15 older, of useable marijuana, marijuana concentrates, or marijuana-
16 infused products in amounts that do not exceed those set forth in RCW
17 69.50.360(3) is not a violation of this section, this chapter, or any
18 other provision of Washington state law.

19 (b) The possession of marijuana, useable marijuana, marijuana
20 concentrates, and marijuana-infused products being physically
21 transported or delivered within the state, in amounts not exceeding

1 those that may be established under RCW 69.50.385(3), by a licensed
2 employee of a common carrier when performing the duties authorized in
3 accordance with RCW 69.50.382 and 69.50.385, is not a violation of
4 this section, this chapter, or any other provision of Washington
5 state law.

6 (4) (a) The delivery by a person twenty-one years of age or older
7 to one or more persons twenty-one years of age or older, during a
8 single twenty-four hour period, for noncommercial purposes and not
9 conditioned upon or done in connection with the provision or receipt
10 of financial consideration, of any of the following marijuana
11 products, is not a violation of this section, this chapter, or any
12 other provisions of Washington state law:

13 (i) One-half ounce of useable marijuana;

14 (ii) Eight ounces of marijuana-infused product in solid form;

15 (iii) Thirty-six ounces of marijuana-infused product in liquid
16 form; or

17 (iv) Three and one-half grams of marijuana concentrates.

18 (b) The act of delivering marijuana or a marijuana product as
19 authorized under this subsection (4) must meet one of the following
20 requirements:

21 (i) The delivery must be done in a location outside of the view
22 of general public and in a nonpublic place; or

23 (ii) The marijuana or marijuana product must be in the original
24 packaging as purchased from the marijuana retailer.

25 (5) No person under twenty-one years of age may possess,
26 manufacture, sell, or distribute marijuana, marijuana-infused
27 products, or marijuana concentrates, regardless of THC concentration.
28 This does not include qualifying patients with a valid authorization.

29 (6) The possession by a qualifying patient or designated provider
30 of marijuana concentrates, useable marijuana, marijuana-infused
31 products, or plants in accordance with chapter 69.51A RCW is not a
32 violation of this section, this chapter, or any other provision of
33 Washington state law.

34 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
35 preservation of the public peace, health, or safety, or support of
36 the state government and its existing public institutions, and takes
37 effect immediately.

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