
Regulated Substances & Gaming Committee

ESB 5340

Brief Description: Regarding limits on the sale and possession of retail cannabis products.

Sponsors: Senator King.

Brief Summary of Engrossed Bill

- Authorizes cannabis retailers to sell additional amounts of certain cannabis-infused products in liquid form to a retail customer in a single transaction.
- Authorizes persons 21 years of age or older to possess and, subject to requirements in current law, to transfer additional amounts of certain cannabis-infused products in liquid form to another person or persons 21 years of age or older.

Hearing Date: 2/15/24

Staff: Peter Clodfelter (786-7127).

Background:

Licensed cannabis retailers and their employees, pursuant to rules adopted by the Liquor and Cannabis Board (LCB), may legally sell in a transaction any combination of the following amounts of cannabis products to a person 21 years of age or older:

- 1 ounce of useable cannabis;
- 16 ounces of cannabis-infused product in solid form;
- 72 ounces of cannabis-infused product in liquid form; and
- 7 grams of cannabis concentrate.

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

Persons 21 years of age or older may not legally possess a combined total of more than those amounts of cannabis products, unless the person is a qualifying patient or designated provider. Cannabis licensees and their employees are prohibited from conducting a transaction that facilitates an individual in obtaining more than the personal possession amount.

A person 21 years of age or older may transfer to another person or persons 21 years of age or older, within a single 24 hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, an amount of cannabis products equal to half of the possession limits for persons 21 years of age or older. The transfer must be in a location outside of the view of the general public and in a nonpublic place, or the cannabis products must be in the original packaging as purchased from the retailer.

The LCB's rules establish that a single serving of a cannabis-infused product may not exceed 10 milligrams of active tetrahydrocannabinol (THC), and a package is limited to 10 servings or 100 milligrams of active THC.

Summary of Bill:

New authorization is provided for cannabis retailers to sell 200 milligrams of THC within a cannabis-infused product in liquid form, to a retail customer, if the product is packaged in individual units containing no more than 4 milligrams of THC per unit. This new authorization is in addition to the current authorization for licensed cannabis retailers and their employees to sell specified amounts of different cannabis products to a retail customer in a single transaction.

Persons 21 years of age or older may legally possess this additional amount of cannabis-infused product in liquid form. Persons 21 years of age or older may also transfer to another person or persons 21 years of age or older, within a 24 hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, 100 milligrams of THC within a cannabis-infused product in liquid form if the product is packaged in individual units containing no more than 4 milligrams of THC per unit.

Appropriation: None.

Fiscal Note: Available.

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