

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 2320

Chapter 360, Laws of 2024

68th Legislature
2024 Regular Session

HIGH THC CANNABIS PRODUCTS

EFFECTIVE DATE: June 6, 2024

Passed by the House March 7, 2024
Yeas 94 Nays 3

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 7, 2024
Yeas 46 Nays 0

DENNY HECK

President of the Senate

Approved March 29, 2024 11:00 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 2320** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 1, 2024

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 2320

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

State of Washington **68th Legislature** **2024 Regular Session**

By House Appropriations (originally sponsored by Representatives Davis, Eslick, Bergquist, Callan, Dent, Dye, Senn, Leavitt, Harris, Ryu, Walen, Peterson, Pollet, and Ramel)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to reducing the public health harms associated
2 with high THC cannabis products by raising awareness, implementing
3 and studying health interventions, and increasing the minimum legal
4 age of sale of high THC cannabis products to prevent psychosis;
5 amending RCW 69.50.357; adding a new section to chapter 71.24 RCW;
6 creating new sections; and providing expiration dates.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that there is a
9 growing body of research evidencing that consuming cannabis with high
10 concentrations of THC may be harmful to some people, including
11 younger persons and persons who have or are at risk for developing
12 certain mental health conditions or psychotic disorders. Products
13 like THC-infused vape oils, shatter, and dabs can contain close to
14 100 percent THC, and may carry risks not commonly associated with
15 consumption of useable cannabis flower or other cannabis products
16 with relatively lower THC concentrations. In the interest of public
17 health, the legislature intends to review studies and consider
18 increasing the minimum legal age of sale of high THC cannabis
19 products to age 25, and the legislature intends to require caution
20 notices, developed by the department of health, to be posted at the
21 point of sale in cannabis retail outlets to raise awareness about

1 possible health impacts and risks associated with high THC cannabis.
2 The legislature further intends to implement and study health
3 interventions, gather data, and ensure that new research, data, and
4 information concerning the impacts of high THC cannabis continues to
5 be incorporated into state policy.

6 NEW SECTION. **Sec. 2.** The legislature intends to provide the
7 department of health with recurring funding available each fiscal
8 year, beginning in fiscal year 2025, to allow the department of
9 health to issue requests for proposals and contract for targeted
10 public health messages and social marketing campaigns directed toward
11 individuals most likely to suffer negative impacts of high THC
12 products including persons under 25 years of age and persons living
13 with mental health challenges. Messages and media campaigns funded
14 must include information about risks, comparative dosing of cannabis
15 products, and resources for persons seeking support for quitting or
16 decreasing their intake of tetrahydrocannabinol. The content of
17 public health messages and social marketing campaigns must be
18 developed in partnership with persons targeted by the messages and
19 campaigns and in consultation with professionals proficient in public
20 health communication and in cannabis research.

21 NEW SECTION. **Sec. 3.** By July 1, 2025, the department of health
22 must develop an optional training that cannabis retail staff may
23 complete to better understand the health and safety impacts of high
24 THC cannabis products. In developing the optional training, the
25 department of health must consult with cannabis retail staff,
26 cannabis consumers, persons who have been harmed by high THC
27 products, health care providers, prevention professionals,
28 researchers with relevant expertise, behavioral health providers, and
29 representatives of licensed cannabis businesses.

30 **Sec. 4.** RCW 69.50.357 and 2022 c 16 s 71 are each amended to
31 read as follows:

32 (1)(a) Retail outlets may not sell products or services other
33 than cannabis concentrates, useable cannabis, cannabis-infused
34 products, or paraphernalia intended for the storage or use of
35 cannabis concentrates, useable cannabis, or cannabis-infused
36 products.

1 (b) (i) Retail outlets may receive lockable boxes, intended for
2 the secure storage of cannabis products and paraphernalia, and
3 related literature as a donation from another person or entity, that
4 is not a cannabis producer, processor, or retailer, for donation to
5 their customers.

6 (ii) Retail outlets may donate the lockable boxes and provide the
7 related literature to any person eligible to purchase cannabis
8 products under subsection (2) of this section. Retail outlets may not
9 use the donation of lockable boxes or literature as an incentive or
10 as a condition of a recipient's purchase of a cannabis product or
11 paraphernalia.

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

15 (2) Licensed cannabis retailers may not employ persons under
16 twenty-one years of age or allow persons under twenty-one years of
17 age to enter or remain on the premises of a retail outlet. However,
18 qualifying patients between eighteen and twenty-one years of age with
19 a recognition card may enter and remain on the premises of a retail
20 outlet holding a medical cannabis endorsement and may purchase
21 products for their personal medical use. Qualifying patients who are
22 under the age of eighteen with a recognition card and who accompany
23 their designated providers may enter and remain on the premises of a
24 retail outlet holding a medical cannabis endorsement, but may not
25 purchase products for their personal medical use.

26 (3) (a) Licensed cannabis retailers must ensure that all employees
27 are trained on the rules adopted to implement this chapter,
28 identification of persons under the age of twenty-one, and other
29 requirements adopted by the board to ensure that persons under the
30 age of twenty-one are not permitted to enter or remain on the
31 premises of a retail outlet.

32 (b) Licensed cannabis retailers with a medical cannabis
33 endorsement must ensure that all employees are trained on the
34 subjects required by (a) of this subsection as well as identification
35 of authorizations and recognition cards. Employees must also be
36 trained to permit qualifying patients who hold recognition cards and
37 are between the ages of eighteen and twenty-one to enter the premises
38 and purchase cannabis for their personal medical use and to permit
39 qualifying patients who are under the age of eighteen with a

1 recognition card to enter the premises if accompanied by their
2 designated providers.

3 (4) Except for the purposes of disposal as authorized by the
4 board, no licensed cannabis retailer or employee of a retail outlet
5 may open or consume, or allow to be opened or consumed, any cannabis
6 concentrates, useable cannabis, or cannabis-infused product on the
7 outlet premises.

8 (5) (a) By December 31, 2024, licensed cannabis retailers shall
9 post a conspicuous notice at the point of sale in retail outlets with
10 information about: (i) The potential health risks and adverse health
11 impacts that may be associated with the consumption of high THC
12 cannabis; (ii) the potentially much higher risks that may be present
13 for younger persons under age 25 as well as for persons who have or
14 are at risk for developing certain mental health conditions or
15 psychotic disorders; and (iii) where to find help in case of negative
16 effects and resources for quitting or reducing cannabis consumption.
17 The notice must be the same or substantially the same as the notice
18 developed by the department of health under this subsection (5).

19 (b) The department of health shall develop the notice required
20 under this section and make it available to licensed cannabis
21 retailers. The notice must, at a minimum, identify the information
22 specified in (a) (i) through (iii) of this subsection, and may include
23 additional information.

24 (6) The board must fine a licensee one thousand dollars for each
25 violation of any subsection of this section. Fines collected under
26 this section must be deposited into the dedicated cannabis account
27 created under RCW 69.50.530.

28 NEW SECTION. Sec. 5. A new section is added to chapter 71.24
29 RCW to read as follows:

30 (1) Subject to amounts appropriated for this specific purpose,
31 the health care authority must issue a request for proposal and
32 contract with an entity to develop, implement, test, and evaluate
33 guidance and health interventions for health care providers and
34 patients at risk for developing serious complications due to cannabis
35 consumption who are seeking care in emergency departments, primary
36 care settings, behavioral health settings, other health care
37 facilities, and for use by state poison control and recovery hotlines
38 to promote cannabis use reduction and cessation for the following
39 populations:

1 (a) Youth and adults at high risk of adverse mental health
2 impacts from use of high THC cannabis;

3 (b) Youth and adults who have experienced a cannabis-induced
4 first episode psychosis but do not have a diagnosis of a psychotic
5 disorder; and

6 (c) Youth and adults who have a diagnosed psychotic disorder and
7 use cannabis.

8 (2) The health care authority must submit a preliminary report to
9 the appropriate committees of the legislature summarizing the
10 progress toward developing and testing health interventions and
11 recruiting patients and health care facilities to participate by
12 December 1, 2025. The health care authority must provide a progress
13 report on initial outcomes of the health interventions for
14 participating patients and health care facilities by July 1, 2027.
15 The health care authority must submit a final report to the
16 appropriate committees of the legislature summarizing the results of
17 the interventions and any recommendations for implementation of
18 health interventions by December 1, 2028.

19 (3) A contract entered under the authorization in this section
20 must include, in the scope of work, data gathering on adverse health
21 impacts occurring in Washington associated with consumption of high
22 THC cannabis, and data gathered must be included in the reports
23 submitted to the legislature under this section.

24 (4) This section expires December 31, 2028.

25 NEW SECTION. **Sec. 6.** (1) Beginning December 1, 2024, the liquor
26 and cannabis board must collect data on the following information on
27 cannabis products sold within Washington state:

28 (a) The amount of products being sold in the following
29 categories: Usable cannabis, cannabis concentrates, and cannabis-
30 infused products;

31 (b) The average THC concentration in usable cannabis and cannabis
32 concentrates, and the average milligrams of THC per unit in cannabis-
33 infused products; and

34 (c) The range of THC concentration in usable cannabis and
35 cannabis concentrates.

36 (2) By November 14, 2025, the liquor and cannabis board must
37 submit a report to the relevant committees of the legislature on the
38 information collected under subsection (1) of this section.

1 (3) For the purposes of this section, "product" has the meaning
2 provided in RCW 69.50.535.

3 (4) This section expires December 31, 2026.

4 NEW SECTION. **Sec. 7.** If specific funding for the purposes of
5 this act, referencing this act by bill or chapter number, is not
6 provided by June 30, 2024, in the omnibus appropriations act, this
7 act is null and void.

Passed by the House March 7, 2024.

Passed by the Senate March 7, 2024.

Approved by the Governor March 29, 2024.

Filed in Office of Secretary of State April 1, 2024.

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