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**HOUSE BILL 2504**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Representatives Wylie, Kloba, Scott, and Reeves

Read first time 01/15/26. Referred to Committee on Consumer Protection & Business.

1 AN ACT Relating to preparing for a legal interstate cannabis  
2 market; amending RCW 69.50.325, 69.50.348, 43.06.495, and 69.50.401;  
3 amending 2023 c 264 s 2 (uncodified); adding a new section to chapter  
4 69.50 RCW; and prescribing penalties.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 69.50  
7 RCW to read as follows:

8 (1) Upon the occurrence of a legal interstate cannabis market,  
9 prior to sale at retail, any cannabis, useable cannabis, cannabis-  
10 infused products, or cannabis concentrates sold into or brought into  
11 Washington from another state, country, or other jurisdiction must:

12 (a) Be distributed through a cannabis processor licensed by the  
13 board under RCW 69.50.325; and

14 (b) Undergo quality assurance and product testing as required  
15 under RCW 69.50.348 by an independent, third-party testing laboratory  
16 accredited by the state department of agriculture.

17 (2) For purposes of this section, and RCW 69.50.325(2) and  
18 69.50.348(1)(c), a legal interstate cannabis market is deemed to  
19 occur if federal law is amended to allow for the interstate transfer  
20 of cannabis between authorized cannabis-related businesses or the  
21 United States department of justice issues an opinion or memorandum

1 allowing or tolerating the interstate transfer of cannabis between  
2 authorized cannabis-related businesses.

3 (3) Nothing in this section is intended to authorize the purchase  
4 or receipt of cannabis, useable cannabis, cannabis-infused products,  
5 or cannabis concentrates from a source in another state, country, or  
6 jurisdiction before:

7 (a) Changes in federal law or policy to allow for the interstate  
8 transfer of cannabis between authorized cannabis-related businesses  
9 as described in subsection (2) of this section; and

10 (b) The board authorizing licensed cannabis processors to  
11 purchase and receive cannabis, useable cannabis, cannabis-infused  
12 products, and cannabis concentrates from persons legally authorized  
13 by another state, country, or jurisdiction to produce, process, or  
14 sell the cannabis, useable cannabis, cannabis-infused products, or  
15 cannabis concentrates.

16 (4) As provided in RCW 69.50.401, cannabis, useable cannabis,  
17 cannabis-infused products, or cannabis concentrates may not be sold  
18 or delivered to a consumer by mail or shipment.

19 **Sec. 2.** RCW 69.50.325 and 2025 c 250 s 1 are each amended to  
20 read as follows:

21 (1) There shall be a cannabis producer's license regulated by the  
22 board and subject to annual renewal. The licensee is authorized to  
23 produce: (a) Cannabis for sale at wholesale to cannabis processors  
24 and other cannabis producers; (b) immature plants or clones and seeds  
25 for sale to cooperatives as described under RCW 69.51A.250; and (c)  
26 immature plants or clones and seeds for sale to qualifying patients  
27 and designated providers as provided under RCW 69.51A.310. The  
28 production, possession, delivery, distribution, and sale of cannabis  
29 in accordance with the provisions of this chapter and the rules  
30 adopted to implement and enforce it, by a validly licensed cannabis  
31 producer, shall not be a criminal or civil offense under Washington  
32 state law. Every cannabis producer's license shall be issued in the  
33 name of the applicant, shall specify the location at which the  
34 cannabis producer intends to operate, which must be within the state  
35 of Washington, and the holder thereof shall not allow any other  
36 person to use the license. The application fee for a cannabis  
37 producer's license shall be (~~two hundred fifty dollars~~) \$250. The  
38 annual fee for issuance and renewal of a cannabis producer's license  
39 shall be (~~one thousand three hundred eighty-one dollars~~) \$1,381. A

1 separate license shall be required for each location at which a  
2 cannabis producer intends to produce cannabis.

3 (2) There shall be a cannabis processor's license to process,  
4 package, and label cannabis concentrates, useable cannabis, and  
5 cannabis-infused products for sale at wholesale to cannabis  
6 processors and cannabis retailers, regulated by the board and subject  
7 to annual renewal. The processing, packaging, possession, delivery,  
8 distribution, and sale of cannabis, useable cannabis, cannabis-  
9 infused products, and cannabis concentrates in accordance with the  
10 provisions of this chapter and chapter 69.51A RCW and the rules  
11 adopted to implement and enforce these chapters, by a validly  
12 licensed cannabis processor, shall not be a criminal or civil offense  
13 under Washington state law. Every cannabis processor's license shall  
14 be issued in the name of the applicant, shall specify the location at  
15 which the licensee intends to operate, which must be within the state  
16 of Washington, and the holder thereof shall not allow any other  
17 person to use the license. The application fee for a cannabis  
18 processor's license shall be (~~two hundred fifty dollars~~) \$250. The  
19 annual fee for issuance and renewal of a cannabis processor's license  
20 shall be (~~one thousand three hundred eighty-one dollars~~) \$1,381. A  
21 separate license shall be required for each location at which a  
22 cannabis processor intends to process cannabis. Upon the occurrence  
23 of a legal interstate cannabis market and authorization from the  
24 board, cannabis processors may purchase and receive cannabis, useable  
25 cannabis, cannabis-infused products, and cannabis concentrates from  
26 persons legally authorized by another state, country, or jurisdiction  
27 to produce, process, or sell the cannabis, useable cannabis,  
28 cannabis-infused products, or cannabis concentrates.

29 (3) (a) There shall be a cannabis retailer's license to sell  
30 cannabis concentrates, useable cannabis, and cannabis-infused  
31 products at retail in retail outlets, regulated by the board and  
32 subject to annual renewal. The possession, delivery, distribution,  
33 and sale of cannabis concentrates, useable cannabis, and cannabis-  
34 infused products in accordance with the provisions of this chapter  
35 and the rules adopted to implement and enforce it, by a validly  
36 licensed cannabis retailer, shall not be a criminal or civil offense  
37 under Washington state law. Every cannabis retailer's license shall  
38 be issued in the name of the applicant, shall specify the location of  
39 the retail outlet the licensee intends to operate, which must be  
40 within the state of Washington, and the holder thereof shall not

1 allow any other person to use the license. The application fee for a  
2 cannabis retailer's license shall be (~~two hundred fifty dollars~~)  
3 \$250. The annual fee for issuance and renewal of a cannabis  
4 retailer's license shall be (~~one thousand three hundred eighty one~~  
5 ~~dollars~~) \$1,381. A separate license shall be required for each  
6 location at which a cannabis retailer intends to sell cannabis  
7 concentrates, useable cannabis, and cannabis-infused products.

8 (b) (i) An individual retail licensee and all other persons or  
9 entities with a financial or other ownership interest in the business  
10 operating under the license are limited, in the aggregate, to holding  
11 a collective total of not more than five retail cannabis licenses.

12 (ii) A retail licensee and all other persons or entities with a  
13 financial or other ownership interest may not enter into any  
14 management agreement under RCW 69.50.331(1)(b)(iv) or any agreement  
15 as referenced in RCW 69.50.395, whether or not in exchange for  
16 payment, that confers a financial interest across more than five  
17 retail cannabis licenses. For the purposes of this subsection,  
18 "financial interest" includes, but is not limited to:

19 (A) Any sharing of profits or revenue;

20 (B) Any assistance, coordination, or recommendation for the  
21 purchase of cannabis products whereupon pricing is coordinated or  
22 discounted;

23 (C) The common use of intellectual property assets such as  
24 branding, trade names, logos, social media accounts, or websites;

25 (D) Any operational control over the business or operational  
26 support for typical day-to-day business operations, including core  
27 business or executive functions of the retail cannabis license;

28 (E) Any sharing or coordination of marketing and advertising  
29 efforts or expenses; and

30 (F) Any coordinated sharing of employment or hiring decisions,  
31 including the shared employment of individuals.

32 (c) (i) A cannabis retailer's license is subject to forfeiture in  
33 accordance with rules adopted by the board pursuant to this section.

34 (ii) The board shall adopt rules to establish a license  
35 forfeiture process for a licensed cannabis retailer that is not fully  
36 operational and open to the public within a specified period from the  
37 date of license issuance, as established by the board, subject to the  
38 following restrictions:

39 (A) No cannabis retailer's license may be subject to forfeiture  
40 within the first nine months of license issuance; and

1 (B) The board must require license forfeiture on or before  
2 (~~twenty-four~~) 24 calendar months of license issuance if a cannabis  
3 retailer is not fully operational and open to the public, unless the  
4 board determines that circumstances out of the licensee's control are  
5 preventing the licensee from becoming fully operational and that, in  
6 the board's discretion, the circumstances warrant extending the  
7 forfeiture period beyond (~~twenty-four~~) 24 calendar months.

8 (iii) The board has discretion in adopting rules under this  
9 subsection (3)(c).

10 (iv) This subsection (3)(c) applies to cannabis retailer's  
11 licenses issued before and after July 23, 2017. However, no license  
12 of a cannabis retailer that otherwise meets the conditions for  
13 license forfeiture established pursuant to this subsection (3)(c) may  
14 be subject to forfeiture within the first nine calendar months of  
15 July 23, 2017.

16 (v) The board may not require license forfeiture if the licensee  
17 has been incapable of opening a fully operational retail cannabis  
18 business due to actions by the city, town, or county with  
19 jurisdiction over the licensee that include any of the following:

20 (A) The adoption of a ban or moratorium that prohibits the  
21 opening of a retail cannabis business; or

22 (B) The adoption of an ordinance or regulation related to zoning,  
23 business licensing, land use, or other regulatory measure that has  
24 the effect of preventing a licensee from receiving an occupancy  
25 permit from the jurisdiction or which otherwise prevents a licensed  
26 cannabis retailer from becoming operational.

27 (d) The board may issue cannabis retailer licenses pursuant to  
28 this chapter and RCW 69.50.335.

29 **Sec. 3.** RCW 69.50.348 and 2024 c 69 s 2 are each amended to read  
30 as follows:

31 (1) (a) On a schedule determined by the board, every licensed  
32 cannabis producer and processor must submit representative samples of  
33 cannabis, useable cannabis, or cannabis-infused products produced or  
34 processed by the licensee to an independent, third-party testing  
35 laboratory meeting the accreditation requirements established by the  
36 state department of agriculture.

37 (b) The purpose of testing representative samples is to certify  
38 compliance with quality assurance and product standards adopted by  
39 the board under RCW 69.50.342 or the department of health under RCW

1 69.50.375. In conducting tests of cannabis product samples, testing  
2 laboratories must adhere to laboratory quality standards adopted by  
3 the state department of agriculture under chapter 15.150 RCW. Any  
4 sample remaining after testing shall be destroyed by the laboratory  
5 or returned to the licensee submitting the sample.

6 (c) Upon the occurrence of a legal interstate cannabis market as  
7 defined in section 1 of this act, on a schedule determined by the  
8 board, any cannabis, useable cannabis, cannabis-infused products, or  
9 cannabis concentrates produced or processed outside of Washington  
10 that are sold or distributed into Washington are subject to the same  
11 quality assurance and product testing standards as required under  
12 this chapter for cannabis, useable cannabis, cannabis-infused  
13 products, or cannabis concentrates produced or processed in  
14 Washington. Representative samples of cannabis, useable cannabis,  
15 cannabis-infused products, or cannabis concentrates from outside  
16 Washington must be tested by an independent, third-party testing  
17 laboratory accredited by the state department of agriculture, before  
18 sale at retail in Washington.

19 (2) Independent, third-party testing laboratories performing  
20 cannabis product testing under subsection (1) of this section must  
21 obtain and maintain accreditation.

22 (3) Licensees must submit the results of inspection and testing  
23 for quality assurance and product standards required under RCW  
24 69.50.342 to the board on a form developed by the board.

25 (4) If a representative sample inspected and tested under this  
26 section does not meet the applicable quality assurance and product  
27 standards established by the board then, except as otherwise provided  
28 by the board in rule, the entire lot from which the sample was taken  
29 must be destroyed.

30 (5) The department of agriculture may determine, assess, and  
31 collect annual fees to support the direct and indirect costs of  
32 implementing a state cannabis product testing laboratory  
33 accreditation program and laboratory quality standards program,  
34 except for the initial program development costs. The department of  
35 agriculture may establish a payment schedule requiring periodic  
36 installments of the annual fee. The department of agriculture must  
37 review and update its fee schedule biennially. The costs of cannabis  
38 product testing laboratory accreditation are those incurred by the  
39 department of agriculture in administering and enforcing the  
40 accreditation program. The costs may include, but are not limited to,

1 the costs incurred in undertaking the following accreditation  
2 functions:

3 (a) Evaluating the protocols and procedures used by a laboratory;

4 (b) Performing on-site audits;

5 (c) Evaluating participation and successful completion of  
6 proficiency testing;

7 (d) Determining the capability of a laboratory to produce  
8 accurate and reliable test results; and

9 (e) Such other accreditation activities as the department of  
10 agriculture deems appropriate.

11 (6) The department of agriculture and the interagency  
12 coordination team created in RCW 15.150.020 must act cooperatively to  
13 ensure effective implementation and administration of this section.

14 (7) All fees collected under this section must be deposited in  
15 the dedicated cannabis account created in RCW 69.50.530.

16 **Sec. 4.** RCW 43.06.495 and 2023 c 264 s 1 are each amended to  
17 read as follows:

18 (1) (~~The~~) Subject to section 1 of this act, the governor may  
19 enter into an agreement with another state or states for the purposes  
20 of:

21 (a) Cross-jurisdictional coordination and enforcement of  
22 cannabis-related businesses authorized to conduct business in this  
23 state, the other state, or both; and

24 (b) Cross-jurisdictional delivery of cannabis between this state  
25 and the other state.

26 (2) An agreement entered into under this section must ensure:

27 (a) Enforceable public health and safety standards are met and  
28 include a system to regulate and track the interstate delivery of  
29 cannabis;

30 (b) Any cannabis delivered into this state, prior to sale to a  
31 consumer, is:

32 (i) Tested in accordance with rules adopted by the department of  
33 agriculture under RCW 15.125.020, by the department of health under  
34 RCW 69.50.375, and by the liquor and cannabis board under RCW  
35 69.50.342, 69.50.345, and 69.50.348;

36 (ii) Packaged and labeled in accordance with RCW 69.50.346 and  
37 rules adopted by the liquor and cannabis board under RCW 69.50.342  
38 and 69.50.345; and

1 (c) Applicable taxes on the sale, delivery, and receipt of  
2 cannabis are collected.

3 (3) In accordance with an agreement entered into under this  
4 section:

5 (a) A cannabis producer, cannabis processor, cannabis researcher,  
6 or cannabis retailer licensed under chapter 69.50 RCW may deliver  
7 cannabis to a person located in, and authorized to receive cannabis  
8 by, the other state.

9 (b) A cannabis (~~(producer, cannabis)~~) processor(~~(r)~~) or cannabis  
10 researcher(~~(, or cannabis retailer)~~) licensed under chapter 69.50 RCW  
11 may receive cannabis from a person located in, and authorized to  
12 export cannabis by, the other state.

13 (4) For the purposes of this section, "cannabis," "cannabis  
14 processor," "cannabis producer," "cannabis researcher," "cannabis  
15 retailer," and "person" have the meanings provided in RCW 69.50.101.

16 **Sec. 5.** RCW 69.50.401 and 2022 c 16 s 84 are each amended to  
17 read as follows:

18 (1) Except as authorized by this chapter, it is unlawful for any  
19 person to manufacture, deliver, or possess with intent to manufacture  
20 or deliver, a controlled substance.

21 (2) Any person who violates this section with respect to:

22 (a) A controlled substance classified in Schedule I or II which  
23 is a narcotic drug or flunitrazepam, including its salts, isomers,  
24 and salts of isomers, classified in Schedule IV, is guilty of a class  
25 B felony and upon conviction may be imprisoned for not more than ten  
26 years, or (i) fined not more than twenty-five thousand dollars if the  
27 crime involved less than two kilograms of the drug, or both such  
28 imprisonment and fine; or (ii) if the crime involved two or more  
29 kilograms of the drug, then fined not more than one hundred thousand  
30 dollars for the first two kilograms and not more than fifty dollars  
31 for each gram in excess of two kilograms, or both such imprisonment  
32 and fine;

33 (b) Amphetamine, including its salts, isomers, and salts of  
34 isomers, or methamphetamine, including its salts, isomers, and salts  
35 of isomers, is guilty of a class B felony and upon conviction may be  
36 imprisoned for not more than ten years, or (i) fined not more than  
37 twenty-five thousand dollars if the crime involved less than two  
38 kilograms of the drug, or both such imprisonment and fine; or (ii) if  
39 the crime involved two or more kilograms of the drug, then fined not

1 more than one hundred thousand dollars for the first two kilograms  
2 and not more than fifty dollars for each gram in excess of two  
3 kilograms, or both such imprisonment and fine. Three thousand dollars  
4 of the fine may not be suspended. As collected, the first three  
5 thousand dollars of the fine must be deposited with the law  
6 enforcement agency having responsibility for cleanup of laboratories,  
7 sites, or substances used in the manufacture of the methamphetamine,  
8 including its salts, isomers, and salts of isomers. The fine moneys  
9 deposited with that law enforcement agency must be used for such  
10 clean-up cost;

11 (c) Any other controlled substance classified in Schedule I, II,  
12 or III, is guilty of a class C felony punishable according to chapter  
13 9A.20 RCW, except as provided in RCW 69.50.475;

14 (d) A substance classified in Schedule IV, except flunitrazepam,  
15 including its salts, isomers, and salts of isomers, is guilty of a  
16 class C felony punishable according to chapter 9A.20 RCW; or

17 (e) A substance classified in Schedule V, is guilty of a class C  
18 felony punishable according to chapter 9A.20 RCW.

19 (3) ~~((The))~~ (a) Except as provided in subsection (b) of this  
20 section, the production, manufacture, processing, packaging,  
21 delivery, distribution, sale, or possession of cannabis in compliance  
22 with the terms set forth in RCW 69.50.360, 69.50.363, or 69.50.366  
23 shall not constitute a violation of this section, this chapter, or  
24 any other provision of Washington state law.

25 (b) A person who sells or delivers cannabis, useable cannabis,  
26 cannabis-infused products, or cannabis concentrates to a consumer by  
27 mail or shipment is in violation of this section and is guilty of a  
28 class C felony punishable under chapter 9A.20 RCW.

29 (4) The fines in this section apply to adult offenders only.

30 **Sec. 6.** 2023 c 264 s 2 (uncodified) is amended to read as  
31 follows:

32 (1) ~~((This act takes))~~ RCW 43.06.495 and section 1 of this act  
33 take effect on the earlier of the date on which:

34 (a) Federal law is amended to allow for the interstate transfer  
35 of cannabis between authorized cannabis-related businesses; or

36 (b) The United States department of justice issues an opinion or  
37 memorandum allowing or tolerating the interstate transfer of cannabis  
38 between authorized cannabis-related businesses.

1 (2) If either of the conditions in subsection (1) of this section  
2 occur, the liquor and cannabis board must:

3 (a) Provide written notice of the effective date of (~~section 1~~  
4 ~~of this act~~) RCW 43.06.495 and section 1 of this act to affected  
5 parties, the chief clerk of the house of representatives, the  
6 secretary of the senate, the office of the code reviser, and others  
7 deemed appropriate by the board;

8 (b) Provide written notice of statutory changes necessary to  
9 authorize the sale, delivery, and receipt of cannabis in accordance  
10 with section 1 of this act or an agreement entered into under  
11 (~~section 1 of this act~~) RCW 43.06.495 to the governor and the  
12 appropriate committees of the legislature; and

13 (c) Adopt rules necessary to authorize the sale, delivery, and  
14 receipt of cannabis in accordance with section 1 of this act or an  
15 agreement entered into under (~~section 1 of this act~~) RCW 43.06.495.

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