
SUBSTITUTE SENATE BILL 6204

State of Washington

69th Legislature

2026 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Saldaña, Frame, and Nobles)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to legalizing the home cultivation of cannabis by
2 persons who are 21 years of age and older; amending RCW 69.50.4013,
3 69.50.401, 69.50.505, 69.50.101, and 69.50.101; adding new sections
4 to chapter 69.50 RCW; prescribing penalties; providing an effective
5 date; and providing an expiration date.

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

7 **Sec. 1.** RCW 69.50.4013 and 2024 c 9 s 2 are each amended to read
8 as follows:

9 (1) Except as otherwise authorized by this chapter, it is
10 unlawful for any person to:

11 (a) Knowingly possess a controlled substance unless the substance
12 was obtained directly from, or pursuant to, a valid prescription or
13 order of a practitioner while acting in the course of his or her
14 professional practice; or

15 (b) Knowingly use a controlled substance in a public place,
16 unless the substance was obtained directly from, or pursuant to, a
17 valid prescription or order of a practitioner while acting in the
18 course of his or her professional practice.

19 (2) (a) Except as provided in RCW 69.50.4014 (~~(e)~~), 69.50.445, or
20 subsection (7) of this section, a violation of subsection (1)(a) or
21 (b) of this section is a gross misdemeanor punishable by imprisonment

1 of up to 180 days in jail, or by a fine of not more than \$1,000, or
2 by both such imprisonment and fine, however, if the defendant has two
3 or more prior convictions under subsection (1)(a) or (b) of this
4 section occurring after July 1, 2023, a violation of subsection
5 (1)(a) or (b) of this section is punishable by imprisonment for up to
6 364 days, or by a fine of not more than \$1,000, or by both such
7 imprisonment and fine. The prosecutor is encouraged to divert such
8 cases for assessment, treatment, or other services.

9 (b) No person may be charged under both subsection (1)(a) and (b)
10 of this section, or both subsections (1)(a) and (7) of this section,
11 relating to the same course of conduct.

12 (c) In lieu of jail booking and referral to the prosecutor, law
13 enforcement is encouraged to offer a referral to assessment and
14 services available under RCW 10.31.110 or other program or entity
15 responsible for receiving referrals in lieu of legal system
16 involvement, which may include, but are not limited to, arrest and
17 jail alternative programs established under RCW 36.28A.450, law
18 enforcement assisted diversion programs established under RCW
19 71.24.589, and the recovery navigator program established under RCW
20 71.24.115.

21 (3)(a) The possession, by a person 21 years of age or older, of
22 useable cannabis, cannabis concentrates, or cannabis-infused products
23 in amounts that do not exceed those set forth in RCW 69.50.360(3), in
24 addition to plants and the cannabis and cannabis products derived
25 from those plants as authorized under subsection (7) of this section,
26 is not a violation of this section, this chapter, or any other
27 provision of Washington state law.

28 (b) The possession of cannabis, useable cannabis, cannabis
29 concentrates, and cannabis-infused products being physically
30 transported or delivered within the state, in amounts not exceeding
31 those that may be established under RCW 69.50.385(3), by a licensed
32 employee of a common carrier when performing the duties authorized in
33 accordance with RCW 69.50.382 and 69.50.385, is not a violation of
34 this section, this chapter, or any other provision of Washington
35 state law.

36 (4)(a) The delivery by a person 21 years of age or older to one
37 or more persons 21 years of age or older, during a single 24 hour
38 period, for noncommercial purposes and not conditioned upon or done
39 in connection with the provision or receipt of financial
40 consideration, of any of the following cannabis products, is not a

1 violation of this section, this chapter, or any other provisions of
2 Washington state law:

3 (i) One-half ounce of useable cannabis;

4 (ii) Eight ounces of cannabis-infused product in solid form;

5 (iii) 36 ounces of cannabis-infused product in liquid form unless
6 the cannabis-infused product in liquid form is packaged in individual
7 units containing no more than four milligrams of THC per unit;

8 (iv) 100 milligrams of THC within a cannabis-infused product in
9 liquid form if the product is packaged in individual units containing
10 no more than four milligrams of THC per unit; or

11 (v) Three and one-half grams of cannabis concentrates.

12 (b) The act of delivering cannabis or a cannabis product as
13 authorized under this subsection (4) must meet one of the following
14 requirements:

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

17 (ii) The cannabis or cannabis product must be in the original
18 packaging as purchased from the cannabis retailer.

19 (5) No person under 21 years of age may manufacture, sell,
20 distribute, or knowingly possess cannabis, cannabis-infused products,
21 or cannabis concentrates, regardless of THC concentration. This does
22 not include qualifying patients with a valid authorization.

23 (6) The possession by a qualifying patient or designated provider
24 of cannabis concentrates, useable cannabis, cannabis-infused
25 products, or plants in accordance with chapter 69.51A RCW is not a
26 violation of this section, this chapter, or any other provision of
27 Washington state law.

28 (7)(a) Except as provided in (b) of this subsection (7), the
29 production and possession by a person 21 years of age or older of no
30 more than six plants and the cannabis and cannabis products derived
31 from those plants, on the premises of the housing unit occupied by
32 the person, is not a violation of this section, this chapter, or any
33 other provision of Washington state law. No more than 15 plants may
34 be produced at any one time on the premises of a single housing unit,
35 regardless of the number of residents living on the premises of the
36 housing unit.

37 (b) It is a class 3 civil infraction punishable under chapter
38 7.80 RCW for a person to produce or knowingly possess plants or
39 cannabis and cannabis products derived from those plants, as

1 otherwise authorized in this subsection (7), if the plants, cannabis,
2 or cannabis products:

3 (i) Can be readily smelled from a public place or the private
4 property of another housing unit; or

5 (ii) Are visible within the ordinary public view.

6 (c) Except as authorized in RCW 69.50.325 or chapter 69.51A RCW:

7 (i) It is a class 1 civil infraction punishable under chapter
8 7.80 RCW for a person to produce and knowingly possess more than six
9 plants but fewer than 16 plants; and

10 (ii) It is a class C felony punishable under RCW 69.50.401(2)(c)
11 for a person to produce and knowingly possess 16 or more plants.

12 (d) An investigating law enforcement officer or agency may seize
13 and summarily destroy any plants produced or possessed by a person in
14 excess of the six plants authorized under this subsection (7), if the
15 person is not authorized to produce and possess the additional plants
16 under RCW 69.50.325 or chapter 69.51A RCW.

17 (e) The board has no authority or responsibility to investigate
18 or enforce requirements in this subsection (7). Nothing in this
19 subsection (7)(e) limits the board's authority to enforce state laws
20 related to commercial cannabis production, processing, or sales, when
21 there is evidence of a violation of another provision of this
22 chapter.

23 (f) Any extraction or separation of resin from cannabis and any
24 production or processing of any form of cannabis concentrates or
25 cannabis-infused products must be performed in accordance with rules
26 adopted under RCW 69.51A.270.

27 (g) No production, processing, or possession of plants or
28 cannabis from those plants, as authorized in this subsection (7), may
29 occur in a housing unit that is used to provide early childhood
30 education and early learning services by a family day care provider
31 as defined in RCW 43.216.010 or a foster family home as defined in
32 RCW 74.15.020.

33 (h) The provisions of this subsection (7) do not apply to a
34 person who is supervised for a criminal conviction by a corrections
35 agency or department, including local governments or jails, that has
36 determined that the terms of this subsection (7) are inconsistent
37 with and contrary to his or her supervision.

38 (i) Nothing in this subsection (7) prevents or restricts a
39 property owner from prohibiting the cultivation of plants by a renter

1 or lessee upon or within the property under the terms of a rental
2 agreement, lease, or other contract.

3 (8) For the purposes of this section(~~(7,"public))~~):

4 (a) "Housing unit" has the meaning provided in RCW 69.51A.010.

5 (b) "Ordinary public view" means within the sight line with
6 normal visual range of a person, unassisted by any elevating devices
7 or visual aids, from a public street or sidewalk adjacent to real
8 property, or from within an adjacent property.

9 (c) "Public place" has the same meaning as defined in RCW
10 66.04.010, but the exclusions in RCW 66.04.011 do not apply.

11 ~~((8) For the purposes of this section, "use))~~

12 (d) "Use a controlled substance" means to introduce the substance
13 into the human body by injection, inhalation, ingestion, or any other
14 means.

15 **Sec. 2.** RCW 69.50.401 and 2022 c 16 s 84 are each amended to
16 read as follows:

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

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

21 (a) A controlled substance classified in Schedule I or II which
22 is a narcotic drug or flunitrazepam, including its salts, isomers,
23 and salts of isomers, classified in Schedule IV, is guilty of a class
24 B felony and upon conviction may be imprisoned for not more than
25 ~~((ten))~~ 10 years, or (i) fined not more than ~~((twenty-five thousand~~
26 ~~dollars))~~ \$25,000 if the crime involved less than two kilograms of
27 the drug, or both such imprisonment and fine; or (ii) if the crime
28 involved two or more kilograms of the drug, then fined not more than
29 ~~((one hundred thousand dollars))~~ \$100,000 for the first two kilograms
30 and not more than ~~((fifty dollars))~~ \$50 for each gram in excess of
31 two kilograms, or both such imprisonment and fine;

32 (b) Amphetamine, including its salts, isomers, and salts of
33 isomers, or methamphetamine, including its salts, isomers, and salts
34 of isomers, is guilty of a class B felony and upon conviction may be
35 imprisoned for not more than ~~((ten))~~ 10 years, or (i) fined not more
36 than ~~((twenty-five thousand dollars))~~ \$25,000 if the crime involved
37 less than two kilograms of the drug, or both such imprisonment and
38 fine; or (ii) if the crime involved two or more kilograms of the
39 drug, then fined not more than ~~((one hundred thousand dollars))~~

1 \$100,000 for the first two kilograms and not more than (~~fifty~~
2 ~~dollars~~) \$50 for each gram in excess of two kilograms, or both such
3 imprisonment and fine. (~~Three thousand dollars~~) \$3,000 of the fine
4 may not be suspended. As collected, the first (~~three thousand~~
5 ~~dollars~~) \$3,000 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 or 69.50.4013(7);

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 production, manufacture, processing, packaging, delivery,
20 distribution, sale, or possession of cannabis in compliance with the
21 terms set forth in RCW 69.50.360, 69.50.363, or 69.50.366 shall not
22 constitute a violation of this section, this chapter, or any other
23 provision of Washington state law.

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

25 **Sec. 3.** RCW 69.50.505 and 2025 c 306 s 13 are each amended to
26 read as follows:

27 (1) The following are subject to seizure and forfeiture and no
28 property right exists in them:

29 (a) All controlled substances which have been manufactured,
30 distributed, dispensed, acquired, or possessed in violation of this
31 chapter or chapter 69.41 or 69.52 RCW, and all hazardous chemicals,
32 as defined in RCW 64.44.010, used or intended to be used in the
33 manufacture of controlled substances;

34 (b) All raw materials, products, and equipment of any kind which
35 are used, or intended for use, in manufacturing, compounding,
36 processing, delivering, importing, or exporting any controlled
37 substance in violation of this chapter or chapter 69.41 or 69.52 RCW;

38 (c) All property which is used, or intended for use, as a
39 container for property described in (a) or (b) of this subsection;

1 (d) All conveyances, including aircraft, vehicles, or vessels,
2 which are used, or intended for use, in any manner to facilitate the
3 sale, delivery, or receipt of property described in (a) or (b) of
4 this subsection, except that:

5 (i) No conveyance used by any person as a common carrier in the
6 transaction of business as a common carrier is subject to forfeiture
7 under this section unless it appears that the owner or other person
8 in charge of the conveyance is a consenting party or privy to a
9 violation of this chapter or chapter 69.41 or 69.52 RCW;

10 (ii) No conveyance is subject to forfeiture under this section by
11 reason of any act or omission committed or omitted without the
12 owner's knowledge or consent;

13 (iii) No conveyance is subject to forfeiture under this section
14 if used in the receipt of only an amount of cannabis for which
15 possession constitutes a misdemeanor under RCW 69.50.4014;

16 (iv) A forfeiture of a conveyance encumbered by a bona fide
17 security interest is subject to the interest of the secured party if
18 the secured party neither had knowledge of nor consented to the act
19 or omission; and

20 (v) When the owner of a conveyance has been arrested under this
21 chapter or chapter 69.41 or 69.52 RCW the conveyance in which the
22 person is arrested may not be subject to forfeiture unless it is
23 seized or process is issued for its seizure within (~~ten~~) 10 days of
24 the owner's arrest;

25 (e) All books, records, and research products and materials,
26 including formulas, microfilm, tapes, and data which are used, or
27 intended for use, in violation of this chapter or chapter 69.41 or
28 69.52 RCW;

29 (f) All drug paraphernalia other than paraphernalia possessed,
30 sold, or used solely to facilitate cannabis-related activities that
31 are not violations of this chapter;

32 (g) All moneys, negotiable instruments, securities, or other
33 tangible or intangible property of value furnished or intended to be
34 furnished by any person in exchange for a controlled substance in
35 violation of this chapter or chapter 69.41 or 69.52 RCW, all tangible
36 or intangible personal property, proceeds, or assets acquired in
37 whole or in part with proceeds traceable to an exchange or series of
38 exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW,
39 and all moneys, negotiable instruments, and securities used or
40 intended to be used to facilitate any violation of this chapter or

1 chapter 69.41 or 69.52 RCW. A forfeiture of money, negotiable
2 instruments, securities, or other tangible or intangible property
3 encumbered by a bona fide security interest is subject to the
4 interest of the secured party if, at the time the security interest
5 was created, the secured party neither had knowledge of nor consented
6 to the act or omission. No personal property may be forfeited under
7 this subsection (1)(g), to the extent of the interest of an owner, by
8 reason of any act or omission committed or omitted without the
9 owner's knowledge or consent; and

10 (h) All real property, including any right, title, and interest
11 in the whole of any lot or tract of land, and any appurtenances or
12 improvements which are being used with the knowledge of the owner for
13 the manufacturing, compounding, processing, delivery, importing, or
14 exporting of any controlled substance, or which have been acquired in
15 whole or in part with proceeds traceable to an exchange or series of
16 exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW,
17 if such activity is not less than a class C felony and a substantial
18 nexus exists between the commercial production or sale of the
19 controlled substance and the real property. However:

20 (i) No property may be forfeited pursuant to this subsection
21 (1)(h), to the extent of the interest of an owner, by reason of any
22 act or omission committed or omitted without the owner's knowledge or
23 consent;

24 (ii) The bona fide gift of a controlled substance, legend drug,
25 or imitation controlled substance shall not result in the forfeiture
26 of real property;

27 (iii) The acquisition, delivery, production, or possession of
28 cannabis, useable cannabis, cannabis concentrates, or cannabis-
29 infused products including in the manner and in the amount provided
30 in RCW 69.50.4013(7), shall not result in the forfeiture of real
31 property unless the cannabis is possessed for commercial purposes
32 that are unlawful under Washington state law, the amount possessed is
33 (~~five~~) 16 or more plants or, except as authorized in RCW
34 69.50.4013(7), one pound or more of cannabis, and a substantial nexus
35 exists between the possession of cannabis and the real property. In
36 such a case, the intent of the offender shall be determined by the
37 preponderance of the evidence, including the offender's prior
38 criminal history, the amount of cannabis possessed by the offender,
39 the sophistication of the activity or equipment used by the offender,
40 whether the offender was licensed to produce, process, or sell

1 cannabis, or was an employee of a licensed producer, processor, or
2 retailer, and other evidence which demonstrates the offender's intent
3 to engage in unlawful commercial activity;

4 (iv) The unlawful sale of cannabis or a legend drug shall not
5 result in the forfeiture of real property unless the sale was
6 (~~forty~~) 40 grams or more in the case of cannabis or (~~one hundred~~
7 ~~dollars~~) \$100 or more in the case of a legend drug, and a
8 substantial nexus exists between the unlawful sale and the real
9 property; and

10 (v) A forfeiture of real property encumbered by a bona fide
11 security interest is subject to the interest of the secured party if
12 the secured party, at the time the security interest was created,
13 neither had knowledge of nor consented to the act or omission.

14 (2) Real or personal property subject to forfeiture under this
15 chapter may be seized by any commission inspector or law enforcement
16 officer of this state upon process issued by any superior court
17 having jurisdiction over the property. Seizure of real property shall
18 include the filing of a lis pendens by the seizing agency. Real
19 property seized under this section shall not be transferred or
20 otherwise conveyed until (~~ninety~~) 90 days after seizure or until a
21 judgment of forfeiture is entered, whichever is later(~~(:—PROVIDED,~~
22 ~~That)~~). However, real property seized under this section may be
23 transferred or conveyed to any person or entity who acquires title by
24 foreclosure or deed in lieu of foreclosure of a security interest.
25 Seizure of personal property without process may be made if:

26 (a) The seizure is incident to an arrest or a search under a
27 search warrant or an inspection under an administrative inspection
28 warrant;

29 (b) The property subject to seizure has been the subject of a
30 prior judgment in favor of the state in a criminal injunction or
31 forfeiture proceeding based upon this chapter;

32 (c) A commission inspector or law enforcement officer has
33 probable cause to believe that the property is directly or indirectly
34 dangerous to health or safety; or

35 (d) The commission inspector or law enforcement officer has
36 probable cause to believe that the property was used or is intended
37 to be used in violation of this chapter.

38 (3) In the event of seizure pursuant to subsection (2) of this
39 section, proceedings for forfeiture shall be deemed commenced by the
40 seizure. The law enforcement agency under whose authority the seizure

1 was made shall cause notice to be served within fifteen days
2 following the seizure on the owner of the property seized and the
3 person in charge thereof and any person having any known right or
4 interest therein, including any community property interest, of the
5 seizure and intended forfeiture of the seized property. Service of
6 notice of seizure of real property shall be made according to the
7 rules of civil procedure. However, the state may not obtain a default
8 judgment with respect to real property against a party who is served
9 by substituted service absent an affidavit stating that a good faith
10 effort has been made to ascertain if the defaulted party is
11 incarcerated within the state, and that there is no present basis to
12 believe that the party is incarcerated within the state. Notice of
13 seizure in the case of property subject to a security interest that
14 has been perfected by filing a financing statement in accordance with
15 chapter 62A.9A RCW, or a certificate of title, shall be made by
16 service upon the secured party or the secured party's assignee at the
17 address shown on the financing statement or the certificate of title.
18 The notice of seizure in other cases may be served by any method
19 authorized by law or court rule including but not limited to service
20 by certified mail with return receipt requested. Service by mail
21 shall be deemed complete upon mailing within the (~~fifteen~~) 15-day
22 period following the seizure.

23 (4) If no person notifies the seizing law enforcement agency in
24 writing of the person's claim of ownership or right to possession of
25 items specified in subsection (1)(d), (g), or (h) of this section
26 within 60 days of the service of notice from the seizing agency in
27 the case of personal property and 120 days in the case of real
28 property, the item seized shall be deemed forfeited. The community
29 property interest in real property of a person whose spouse or
30 domestic partner committed a violation giving rise to seizure of the
31 real property may not be forfeited if the person did not participate
32 in the violation.

33 (5) If any person notifies the seizing law enforcement agency in
34 writing of the person's claim of ownership or right to possession of
35 items specified in subsection (1)(b), (c), (d), (e), (f), (g), or (h)
36 of this section within 60 days of the service of notice from the
37 seizing agency in the case of personal property and 120 days in the
38 case of real property, the person or persons shall be afforded a
39 reasonable opportunity to be heard as to the claim or right. The
40 notice of claim may be served by any method authorized by law or

1 court rule including, but not limited to, service by first-class
2 mail. Service by mail shall be deemed complete upon mailing within
3 the 60-day period following service of the notice of seizure in the
4 case of personal property and within the 120-day period following
5 service of the notice of seizure in the case of real property. The
6 hearing shall be before the chief law enforcement officer of the
7 seizing agency or the chief law enforcement officer's designee,
8 except where the seizing agency is a state agency as defined in RCW
9 34.12.020(4), the hearing shall be before the chief law enforcement
10 officer of the seizing agency or an administrative law judge
11 appointed under chapter 34.12 RCW, except that any person asserting a
12 claim or right may remove the matter to a court of competent
13 jurisdiction. Removal of any matter involving personal property may
14 only be accomplished according to the rules of civil procedure. The
15 person seeking removal of the matter must serve process against the
16 state, county, political subdivision, or municipality that operates
17 the seizing agency, and any other party of interest, in accordance
18 with RCW 4.28.080 or 4.92.020, within (~~forty-five~~) 45 days after
19 the person seeking removal has notified the seizing law enforcement
20 agency of the person's claim of ownership or right to possession. The
21 court to which the matter is to be removed shall be the district
22 court, or the municipal court for the jurisdiction in which the
23 property was seized, when the aggregate value of personal property is
24 within the jurisdictional limit set forth in RCW 3.66.020. A hearing
25 before the seizing agency and any appeal therefrom shall be under
26 Title 34 RCW. In all cases, the burden of proof is upon the law
27 enforcement agency to establish, by clear, cogent, and convincing
28 evidence, that the property is subject to forfeiture.

29 The seizing law enforcement agency shall promptly return the
30 article or articles to the claimant, in a substantially similar
31 condition as when seized, upon a determination by the administrative
32 law judge or court that the claimant is the present lawful owner or
33 is lawfully entitled to possession thereof of items specified in
34 subsection (1)(b), (c), (d), (e), (f), (g), or (h) of this section.

35 (6) In any proceeding to forfeit property under this title, where
36 the claimant substantially prevails, the claimant is entitled to
37 reasonable attorneys' fees reasonably incurred by the claimant. In
38 addition, in a court hearing between two or more claimants to the
39 article or articles involved, the prevailing party is entitled to a
40 judgment for costs and reasonable attorneys' fees.

1 (7) When property is forfeited under this chapter the commission
2 or seizing law enforcement agency may:

3 (a) Retain it for official use or upon application by any law
4 enforcement agency of this state release such property to such agency
5 for the exclusive use of enforcing the provisions of this chapter;

6 (b) Sell that which is not required to be destroyed by law and
7 which is not harmful to the public;

8 (c) Request the appropriate sheriff or director of public safety
9 to take custody of the property and remove it for disposition in
10 accordance with law; or

11 (d) Forward it to the drug enforcement administration for
12 disposition.

13 (8) (a) By January 31st of each year, each seizing agency shall
14 remit to the state an amount equal to (~~ten~~) 10 percent of the net
15 proceeds of any property forfeited during the preceding calendar year
16 for deposit into the behavioral health loan repayment and scholarship
17 program account created in RCW 28B.115.135 through June 30, 2027, and
18 into the state general fund thereafter.

19 (b) The net proceeds of forfeited property is the value of the
20 forfeitable interest in the property after deducting the cost of
21 satisfying any bona fide security interest to which the property is
22 subject at the time of seizure; and in the case of sold property,
23 after deducting the cost of sale, including reasonable fees or
24 commissions paid to independent selling agents, and the cost of any
25 valid landlord's claim for damages under subsection (14) of this
26 section.

27 (c) The value of sold forfeited property is the sale price. The
28 value of retained forfeited property is the fair market value of the
29 property at the time of seizure, determined when possible by
30 reference to an applicable commonly used index, such as the index
31 used by the department of licensing for valuation of motor vehicles.
32 A seizing agency may use, but need not use, an independent qualified
33 appraiser to determine the value of retained property. If an
34 appraiser is used, the value of the property appraised is net of the
35 cost of the appraisal. The value of destroyed property and retained
36 firearms or illegal property is zero.

37 (9) Forfeited property and net proceeds not required to be
38 remitted to the state shall be retained by the seizing law
39 enforcement agency exclusively for the expansion and improvement of
40 controlled substances related law enforcement activity. If the

1 seizing agency is a port district operating an airport in a county
2 with a population of more than one million, it may use the net
3 proceeds not required to be remitted to the state for purposes
4 related to controlled substances law enforcement, substance abuse
5 education, human trafficking interdiction, and responsible gun
6 ownership. Money retained under this section may not be used to
7 supplant preexisting funding sources.

8 (10) Controlled substances listed in Schedule I, II, III, IV, and
9 V that are possessed, transferred, sold, or offered for sale in
10 violation of this chapter are contraband and shall be seized and
11 summarily forfeited to the state. Controlled substances listed in
12 Schedule I, II, III, IV, and V, which are seized or come into the
13 possession of the commission, the owners of which are unknown, are
14 contraband and shall be summarily forfeited to the commission.

15 (11) Species of plants from which controlled substances in
16 Schedules I and II may be derived which have been planted or
17 cultivated in violation of this chapter, or of which the owners or
18 cultivators are unknown, or which are wild growths, may be seized and
19 summarily forfeited to the commission.

20 (12) The failure, upon demand by a commission inspector or law
21 enforcement officer, of the person in occupancy or in control of land
22 or premises upon which the species of plants are growing or being
23 stored to produce an appropriate registration or proof that he or she
24 is the holder thereof constitutes authority for the seizure and
25 forfeiture of the plants.

26 (13) Upon the entry of an order of forfeiture of real property,
27 the court shall forward a copy of the order to the assessor of the
28 county in which the property is located. Orders for the forfeiture of
29 real property shall be entered by the superior court, subject to
30 court rules. Such an order shall be filed by the seizing agency in
31 the county auditor's records in the county in which the real property
32 is located.

33 (14)(a) A landlord may assert a claim against proceeds from the
34 sale of assets seized and forfeited under subsection (7)(b) of this
35 section, only if:

36 (i) A law enforcement officer, while acting in his or her
37 official capacity, directly caused damage to the complaining
38 landlord's property while executing a search of a tenant's residence;
39 and

1 (ii) The landlord has applied any funds remaining in the tenant's
2 deposit, to which the landlord has a right under chapter 59.18 RCW,
3 to cover the damage directly caused by a law enforcement officer
4 prior to asserting a claim under the provisions of this section;

5 (A) Only if the funds applied under (a)(ii) of this subsection
6 are insufficient to satisfy the damage directly caused by a law
7 enforcement officer, may the landlord seek compensation for the
8 damage by filing a claim against the governmental entity under whose
9 authority the law enforcement agency operates within (~~(thirty)~~) 30
10 days after the search;

11 (B) Only if the governmental entity denies or fails to respond to
12 the landlord's claim within (~~(sixty)~~) 60 days of the date of filing,
13 may the landlord collect damages under this subsection by filing
14 within (~~(thirty)~~) 30 days of denial or the expiration of the
15 (~~(sixty)~~) 60-day period, whichever occurs first, a claim with the
16 seizing law enforcement agency. The seizing law enforcement agency
17 must notify the landlord of the status of the claim by the end of the
18 (~~(thirty)~~) 30-day period. Nothing in this section requires the claim
19 to be paid by the end of the (~~(sixty-day or thirty-day)~~) 60-day or
20 30-day period.

21 (b) For any claim filed under (a)(ii) of this subsection, the law
22 enforcement agency shall pay the claim unless the agency provides
23 substantial proof that the landlord either:

24 (i) Knew or consented to actions of the tenant in violation of
25 this chapter or chapter 69.41 or 69.52 RCW; or

26 (ii) Failed to respond to a notification of the illegal activity,
27 provided by a law enforcement agency under RCW 59.18.075, within
28 seven days of receipt of notification of the illegal activity.

29 (15) The landlord's claim for damages under subsection (14) of
30 this section may not include a claim for loss of business and is
31 limited to:

32 (a) Damage to tangible property and clean-up costs;

33 (b) The lesser of the cost of repair or fair market value of the
34 damage directly caused by a law enforcement officer;

35 (c) The proceeds from the sale of the specific tenant's property
36 seized and forfeited under subsection (7)(b) of this section; and

37 (d) The proceeds available after the seizing law enforcement
38 agency satisfies any bona fide security interest in the tenant's
39 property and costs related to sale of the tenant's property as
40 provided by subsection (8)(b) of this section.

1 (16) Subsections (14) and (15) of this section do not limit any
2 other rights a landlord may have against a tenant to collect for
3 damages. However, if a law enforcement agency satisfies a landlord's
4 claim under subsection (14) of this section, the rights the landlord
5 has against the tenant for damages directly caused by a law
6 enforcement officer under the terms of the landlord and tenant's
7 contract are subrogated to the law enforcement agency.

8 (17) The protections afforded by the service members' civil
9 relief act, chapter 38.42 RCW, are applicable to proceedings under
10 this section.

11 **Sec. 4.** RCW 69.50.101 and 2024 c 62 s 17 are each amended to
12 read as follows:

13 The definitions in this section apply throughout this chapter
14 unless the context clearly requires otherwise.

15 (1) "Administer" means to apply a controlled substance, whether
16 by injection, inhalation, ingestion, or any other means, directly to
17 the body of a patient or research subject by:

18 (a) a practitioner authorized to prescribe (or, by the
19 practitioner's authorized agent); or

20 (b) the patient or research subject at the direction and in the
21 presence of the practitioner.

22 (2) "Agent" means an authorized person who acts on behalf of or
23 at the direction of a manufacturer, distributor, or dispenser. It
24 does not include a common or contract carrier, public
25 warehouseperson, or employee of the carrier or warehouseperson.

26 (3) "Board" means the Washington state liquor and cannabis board.

27 (4) "Cannabis" means all parts of the plant *Cannabis*, whether
28 growing or not, with a THC concentration greater than 0.3 percent on
29 a dry weight basis during the growing cycle through harvest and
30 usable cannabis. "Cannabis" does not include hemp or industrial hemp
31 as defined in RCW 15.140.020, or seeds used for licensed hemp
32 production under chapter 15.140 RCW.

33 (5) "Cannabis concentrates" means products consisting wholly or
34 in part of the resin extracted from any part of the plant *Cannabis*
35 and having a THC concentration greater than ten percent.

36 (6) "Cannabis processor" means a person licensed by the board to
37 process cannabis into cannabis concentrates, useable cannabis, and
38 cannabis-infused products, package and label cannabis concentrates,
39 useable cannabis, and cannabis-infused products for sale in retail

1 outlets, and sell cannabis concentrates, useable cannabis, and
2 cannabis-infused products at wholesale to cannabis retailers.

3 (7) "Cannabis producer" means a person licensed by the board to
4 produce and sell cannabis at wholesale to cannabis processors and
5 other cannabis producers.

6 (8)(a) "Cannabis products" means useable cannabis, cannabis
7 concentrates, and cannabis-infused products as defined in this
8 section, including any product intended to be consumed or absorbed
9 inside the body by any means including inhalation, ingestion, or
10 insertion, with any detectable amount of THC.

11 (b) "Cannabis products" also means any product containing only
12 THC content.

13 (c) "Cannabis products" does not include cannabis health and
14 beauty aids as defined in RCW 69.50.575 or products approved by the
15 United States food and drug administration.

16 (9) "Cannabis researcher" means a person licensed by the board to
17 produce, process, and possess cannabis for the purposes of conducting
18 research on cannabis and cannabis-derived drug products.

19 (10) "Cannabis retailer" means a person licensed by the board to
20 sell cannabis concentrates, useable cannabis, and cannabis-infused
21 products in a retail outlet.

22 (11) "Cannabis-infused products" means products that contain
23 cannabis or cannabis extracts, are intended for human use, are
24 derived from cannabis as defined in subsection (4) of this section,
25 and have a THC concentration no greater than (~~ten~~) 10 percent. The
26 term "cannabis-infused products" does not include either useable
27 cannabis or cannabis concentrates.

28 (12) "CBD concentration" has the meaning provided in RCW
29 69.51A.010.

30 (13) "CBD product" means any product containing or consisting of
31 cannabidiol.

32 (14) "Commercial activity" means an activity related to or
33 connected with buying, selling, or bartering.

34 (15) "Commission" means the pharmacy quality assurance
35 commission.

36 (~~(15)~~) (16) "Controlled substance" means a drug, substance, or
37 immediate precursor included in Schedules I through V as set forth in
38 federal or state laws, or federal or commission rules, but does not
39 include hemp or industrial hemp as defined in RCW 15.140.020.

1 (~~(16)~~) (17) (a) "Controlled substance analog" means a substance
2 the chemical structure of which is substantially similar to the
3 chemical structure of a controlled substance in Schedule I or II and:

4 (i) that has a stimulant, depressant, or hallucinogenic effect on
5 the central nervous system substantially similar to the stimulant,
6 depressant, or hallucinogenic effect on the central nervous system of
7 a controlled substance included in Schedule I or II; or

8 (ii) with respect to a particular individual, that the individual
9 represents or intends to have a stimulant, depressant, or
10 hallucinogenic effect on the central nervous system substantially
11 similar to the stimulant, depressant, or hallucinogenic effect on the
12 central nervous system of a controlled substance included in Schedule
13 I or II.

14 (b) The term does not include:

15 (i) a controlled substance;

16 (ii) a substance for which there is an approved new drug
17 application;

18 (iii) a substance with respect to which an exemption is in effect
19 for investigational use by a particular person under Section 505 of
20 the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or
21 chapter 69.77 RCW to the extent conduct with respect to the substance
22 is pursuant to the exemption; or

23 (iv) any substance to the extent not intended for human
24 consumption before an exemption takes effect with respect to the
25 substance.

26 (~~(17)~~) (18) "Deliver" or "delivery" means the actual or
27 constructive transfer from one person to another of a substance,
28 whether or not there is an agency relationship.

29 (~~(18)~~) (19) "Department" means the department of health.

30 (~~(19)~~) (20) "Designated provider" has the meaning provided in
31 RCW 69.51A.010.

32 (~~(20)~~) (21) "Dispense" means the interpretation of a
33 prescription or order for a controlled substance and, pursuant to
34 that prescription or order, the proper selection, measuring,
35 compounding, labeling, or packaging necessary to prepare that
36 prescription or order for delivery.

37 (~~(21)~~) (22) "Dispenser" means a practitioner who dispenses.

38 (~~(22)~~) (23) "Distribute" means to deliver other than by
39 administering or dispensing a controlled substance.

40 (~~(23)~~) (24) "Distributor" means a person who distributes.

1 (~~(24)~~) (25) "Drug" means (a) a controlled substance recognized
2 as a drug in the official United States pharmacopoeia/national
3 formulary or the official homeopathic pharmacopoeia of the United
4 States, or any supplement to them; (b) controlled substances intended
5 for use in the diagnosis, cure, mitigation, treatment, or prevention
6 of disease in individuals or animals; (c) controlled substances
7 (other than food) intended to affect the structure or any function of
8 the body of individuals or animals; and (d) controlled substances
9 intended for use as a component of any article specified in (a), (b),
10 or (c) of this subsection. The term does not include devices or their
11 components, parts, or accessories.

12 (~~(25)~~) (26) "Drug enforcement administration" means the drug
13 enforcement administration in the United States Department of
14 Justice, or its successor agency.

15 (~~(26)~~) (27) "Electronic communication of prescription
16 information" means the transmission of a prescription or refill
17 authorization for a drug of a practitioner using computer systems.
18 The term does not include a prescription or refill authorization
19 verbally transmitted by telephone nor a facsimile manually signed by
20 the practitioner.

21 (~~(27)~~) (28) "Immature plant or clone" means a plant or clone
22 that has no flowers, is less than (~~(twelve)~~) 12 inches in height, and
23 is less than (~~(twelve)~~) 12 inches in diameter.

24 (~~(28)~~) (29) "Immediate precursor" means a substance:

25 (a) that the commission has found to be and by rule designates as
26 being the principal compound commonly used, or produced primarily for
27 use, in the manufacture of a controlled substance;

28 (b) that is an immediate chemical intermediary used or likely to
29 be used in the manufacture of a controlled substance; and

30 (c) the control of which is necessary to prevent, curtail, or
31 limit the manufacture of the controlled substance.

32 (~~(29)~~) (30) "Isomer" means an optical isomer, but in subsection
33 (~~(33)~~) (34) (e) of this section, RCW 69.50.204(1) (l) and (hh), and
34 69.50.206(2)(d), the term includes any geometrical isomer; in RCW
35 69.50.204(1) (h) and (pp) (~~(r)~~) and 69.50.210(3) (~~(r)~~), l the term
36 includes any positional isomer; and in RCW 69.50.204(1)(ii),
37 69.50.204(3), and 69.50.208(1) (~~(r)~~), l the term includes any
38 positional or geometric isomer.

39 (~~(30)~~) (31) "Lot" means a definite quantity of cannabis,
40 cannabis concentrates, useable cannabis, or cannabis-infused product

1 identified by a lot number, every portion or package of which is
2 uniform within recognized tolerances for the factors that appear in
3 the labeling.

4 ~~((31))~~ (32) "Lot number" must identify the licensee by business
5 or trade name and Washington state unified business identifier
6 number, and the date of harvest or processing for each lot of
7 cannabis, cannabis concentrates, useable cannabis, or cannabis-
8 infused product.

9 ~~((32))~~ (33) "Manufacture" means the production, preparation,
10 propagation, compounding, conversion, or processing of a controlled
11 substance, either directly or indirectly or by extraction from
12 substances of natural origin, or independently by means of chemical
13 synthesis, or by a combination of extraction and chemical synthesis,
14 and includes any packaging or repackaging of the substance or
15 labeling or relabeling of its container. The term does not include
16 the preparation, compounding, packaging, repackaging, labeling, or
17 relabeling of a controlled substance:

18 (a) by a practitioner as an incident to the practitioner's
19 administering or dispensing of a controlled substance in the course
20 of the practitioner's professional practice; or

21 (b) by a practitioner, or by the practitioner's authorized agent
22 under the practitioner's supervision, for the purpose of, or as an
23 incident to, research, teaching, or chemical analysis and not for
24 sale.

25 ~~((33))~~ (34) "Narcotic drug" means any of the following, whether
26 produced directly or indirectly by extraction from substances of
27 vegetable origin, or independently by means of chemical synthesis, or
28 by a combination of extraction and chemical synthesis:

29 (a) Opium, opium derivative, and any derivative of opium or opium
30 derivative, including their salts, isomers, and salts of isomers,
31 whenever the existence of the salts, isomers, and salts of isomers is
32 possible within the specific chemical designation. The term does not
33 include the isoquinoline alkaloids of opium.

34 (b) Synthetic opiate and any derivative of synthetic opiate,
35 including their isomers, esters, ethers, salts, and salts of isomers,
36 esters, and ethers, whenever the existence of the isomers, esters,
37 ethers, and salts is possible within the specific chemical
38 designation.

39 (c) Poppy straw and concentrate of poppy straw.

1 (d) Coca leaves, except coca leaves and extracts of coca leaves
2 from which cocaine, ecgonine, and derivatives or ecgonine or their
3 salts have been removed.

4 (e) Cocaine, or any salt, isomer, or salt of isomer thereof.

5 (f) Cocaine base.

6 (g) Ecgonine, or any derivative, salt, isomer, or salt of isomer
7 thereof.

8 (h) Any compound, mixture, or preparation containing any quantity
9 of any substance referred to in (a) through (g) of this subsection.

10 ~~((34))~~ (35) "Opiate" means any substance having an addiction-
11 forming or addiction-sustaining liability similar to morphine or
12 being capable of conversion into a drug having addiction-forming or
13 addiction-sustaining liability. The term includes opium, substances
14 derived from opium (opium derivatives), and synthetic opiates. The
15 term does not include, unless specifically designated as controlled
16 under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-
17 methylmorphinan and its salts (dextromethorphan). The term includes
18 the racemic and levorotatory forms of dextromethorphan.

19 ~~((35))~~ (36) "Opium poppy" means the plant of the species
20 *Papaver somniferum* L., except its seeds.

21 ~~((36))~~ (37) "Package" means a container that has a single unit
22 or group of units.

23 ~~((37))~~ (38) "Person" means individual, corporation, business
24 trust, estate, trust, partnership, association, joint venture,
25 government, governmental subdivision or agency, or any other legal or
26 commercial entity.

27 ~~((38))~~ (39) "Plant" has the meaning provided in RCW 69.51A.010.

28 ~~((39))~~ (40) "Poppy straw" means all parts, except the seeds, of
29 the opium poppy, after mowing.

30 ~~((40))~~ (41) "Practitioner" means:

31 (a) A physician under chapter 18.71 RCW; a physician assistant
32 under chapter 18.71A RCW; an osteopathic physician and surgeon under
33 chapter 18.57 RCW; an optometrist licensed under chapter 18.53 RCW
34 who is certified by the optometry board under RCW 18.53.010 subject
35 to any limitations in RCW 18.53.010; a dentist under chapter 18.32
36 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a
37 veterinarian under chapter 18.92 RCW; a registered nurse, advanced
38 registered nurse practitioner, or licensed practical nurse under
39 chapter 18.79 RCW; a naturopathic physician under chapter 18.36A RCW
40 who is licensed under RCW 18.36A.030 subject to any limitations in

1 RCW 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific
2 investigator under this chapter, licensed, registered or otherwise
3 permitted insofar as is consistent with those licensing laws to
4 distribute, dispense, conduct research with respect to or administer
5 a controlled substance in the course of their professional practice
6 or research in this state.

7 (b) A pharmacy, hospital or other institution licensed,
8 registered, or otherwise permitted to distribute, dispense, conduct
9 research with respect to or to administer a controlled substance in
10 the course of professional practice or research in this state.

11 (c) A physician licensed to practice medicine and surgery, a
12 physician licensed to practice osteopathic medicine and surgery, a
13 dentist licensed to practice dentistry, a podiatric physician and
14 surgeon licensed to practice podiatric medicine and surgery, a
15 licensed physician assistant or a licensed osteopathic physician
16 assistant specifically approved to prescribe controlled substances by
17 his or her state's medical commission or equivalent and his or her
18 participating physician as defined in RCW 18.71A.010, an advanced
19 registered nurse practitioner licensed to prescribe controlled
20 substances, or a veterinarian licensed to practice veterinary
21 medicine in any state of the United States.

22 (~~(41)~~) (42) "Prescription" means an order for controlled
23 substances issued by a practitioner duly authorized by law or rule in
24 the state of Washington to prescribe controlled substances within the
25 scope of his or her professional practice for a legitimate medical
26 purpose.

27 (~~(42)~~) (43) "Production" includes the manufacturing, planting,
28 cultivating, growing, or harvesting of a controlled substance.

29 (~~(43)~~) (44) "Qualifying patient" has the meaning provided in
30 RCW 69.51A.010.

31 (~~(44)~~) (45) "Recognition card" has the meaning provided in RCW
32 69.51A.010.

33 (~~(45)~~) (46) "Retail outlet" means a location licensed by the
34 board for the retail sale of cannabis concentrates, useable cannabis,
35 and cannabis-infused products.

36 (~~(46)~~) (47) "Secretary" means the secretary of health or the
37 secretary's designee.

38 (~~(47)~~) (48) "Social equity plan" means a plan that addresses at
39 least some of the elements outlined in this subsection (~~(47)~~),
40 along with any additional plan components or requirements approved by

1 the board following consultation with the task force created in RCW
2 69.50.336. The plan may include:

3 (a) A statement that indicates how the cannabis licensee will
4 work to promote social equity goals in their community;

5 (b) A description of how the cannabis licensee will meet social
6 equity goals as defined in RCW 69.50.335;

7 (c) The composition of the workforce the licensee has employed or
8 intends to hire; and

9 (d) Business plans involving partnerships or assistance to
10 organizations or residents with connections to populations with a
11 history of high rates of enforcement of cannabis prohibition.

12 (~~(48)~~) (49) "State," unless the context otherwise requires,
13 means a state of the United States, the District of Columbia, the
14 Commonwealth of Puerto Rico, or a territory or insular possession
15 subject to the jurisdiction of the United States.

16 (~~(49)~~) (50) "THC concentration" means percent of
17 tetrahydrocannabinol content of any part of the plant *Cannabis*, or
18 per volume or weight of cannabis product, or the combined percent of
19 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of
20 the plant *Cannabis* regardless of moisture content.

21 (~~(50)~~) (51) "Ultimate user" means an individual who lawfully
22 possesses a controlled substance for the individual's own use or for
23 the use of a member of the individual's household or for
24 administering to an animal owned by the individual or by a member of
25 the individual's household.

26 (~~(51)~~) (52) "Unit" means an individual consumable item within a
27 package of one or more consumable items in solid, liquid, gas, or any
28 form intended for human consumption.

29 (~~(52)~~) (53) "Useable cannabis" means dried cannabis flowers.
30 The term "useable cannabis" does not include either cannabis-infused
31 products or cannabis concentrates.

32 (~~(53)~~) (54) "Youth access" means the level of interest persons
33 under the age of (~~twenty-one~~) 21 may have in a vapor product, as
34 well as the degree to which the product is available or appealing to
35 such persons, and the likelihood of initiation, use, or addiction by
36 adolescents and young adults.

37 **Sec. 5.** RCW 69.50.101 and 2025 c 58 s 5126 are each amended to
38 read as follows:

1 The definitions in this section apply throughout this chapter
2 unless the context clearly requires otherwise.

3 (1) "Administer" means to apply a controlled substance, whether
4 by injection, inhalation, ingestion, or any other means, directly to
5 the body of a patient or research subject by:

6 (a) a practitioner authorized to prescribe (or, by the
7 practitioner's authorized agent); or

8 (b) the patient or research subject at the direction and in the
9 presence of the practitioner.

10 (2) "Agent" means an authorized person who acts on behalf of or
11 at the direction of a manufacturer, distributor, or dispenser. It
12 does not include a common or contract carrier, public
13 warehouseperson, or employee of the carrier or warehouseperson.

14 (3) "Board" means the Washington state liquor and cannabis board.

15 (4) "Cannabis" means all parts of the plant *Cannabis*, whether
16 growing or not, with a THC concentration greater than 0.3 percent on
17 a dry weight basis during the growing cycle through harvest and
18 usable cannabis. "Cannabis" does not include hemp or industrial hemp
19 as defined in RCW 15.140.020, or seeds used for licensed hemp
20 production under chapter 15.140 RCW.

21 (5) "Cannabis concentrates" means products consisting wholly or
22 in part of the resin extracted from any part of the plant *Cannabis*
23 and having a THC concentration greater than (~~ten~~) 10 percent.

24 (6) "Cannabis processor" means a person licensed by the board to
25 process cannabis into cannabis concentrates, useable cannabis, and
26 cannabis-infused products, package and label cannabis concentrates,
27 useable cannabis, and cannabis-infused products for sale in retail
28 outlets, and sell cannabis concentrates, useable cannabis, and
29 cannabis-infused products at wholesale to cannabis retailers.

30 (7) "Cannabis producer" means a person licensed by the board to
31 produce and sell cannabis at wholesale to cannabis processors and
32 other cannabis producers.

33 (8) (a) "Cannabis products" means useable cannabis, cannabis
34 concentrates, and cannabis-infused products as defined in this
35 section, including any product intended to be consumed or absorbed
36 inside the body by any means including inhalation, ingestion, or
37 insertion, with any detectable amount of THC.

38 (b) "Cannabis products" also means any product containing only
39 THC content.

1 (c) "Cannabis products" does not include cannabis health and
2 beauty aids as defined in RCW 69.50.575 or products approved by the
3 United States food and drug administration.

4 (9) "Cannabis researcher" means a person licensed by the board to
5 produce, process, and possess cannabis for the purposes of conducting
6 research on cannabis and cannabis-derived drug products.

7 (10) "Cannabis retailer" means a person licensed by the board to
8 sell cannabis concentrates, useable cannabis, and cannabis-infused
9 products in a retail outlet.

10 (11) "Cannabis-infused products" means products that contain
11 cannabis or cannabis extracts, are intended for human use, are
12 derived from cannabis as defined in subsection (4) of this section,
13 and have a THC concentration no greater than ~~((ten))~~ 10 percent. The
14 term "cannabis-infused products" does not include either useable
15 cannabis or cannabis concentrates.

16 (12) "CBD concentration" has the meaning provided in RCW
17 69.51A.010.

18 (13) "CBD product" means any product containing or consisting of
19 cannabidiol.

20 (14) "Commercial activity" means an activity related to or
21 connected with buying, selling, or bartering.

22 (15) "Commission" means the pharmacy quality assurance
23 commission.

24 ~~((15))~~ (16) "Controlled substance" means a drug, substance, or
25 immediate precursor included in Schedules I through V as set forth in
26 federal or state laws, or federal or commission rules, but does not
27 include hemp or industrial hemp as defined in RCW 15.140.020.

28 ~~((16))~~ (17) (a) "Controlled substance analog" means a substance
29 the chemical structure of which is substantially similar to the
30 chemical structure of a controlled substance in Schedule I or II and:

31 (i) that has a stimulant, depressant, or hallucinogenic effect on
32 the central nervous system substantially similar to the stimulant,
33 depressant, or hallucinogenic effect on the central nervous system of
34 a controlled substance included in Schedule I or II; or

35 (ii) with respect to a particular individual, that the individual
36 represents or intends to have a stimulant, depressant, or
37 hallucinogenic effect on the central nervous system substantially
38 similar to the stimulant, depressant, or hallucinogenic effect on the
39 central nervous system of a controlled substance included in Schedule
40 I or II.

1 (b) The term does not include:
2 (i) a controlled substance;
3 (ii) a substance for which there is an approved new drug
4 application;
5 (iii) a substance with respect to which an exemption is in effect
6 for investigational use by a particular person under Section 505 of
7 the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or
8 chapter 69.77 RCW to the extent conduct with respect to the substance
9 is pursuant to the exemption; or
10 (iv) any substance to the extent not intended for human
11 consumption before an exemption takes effect with respect to the
12 substance.
13 ~~((17))~~ (18) "Deliver" or "delivery" means the actual or
14 constructive transfer from one person to another of a substance,
15 whether or not there is an agency relationship.
16 ~~((18))~~ (19) "Department" means the department of health.
17 ~~((19))~~ (20) "Designated provider" has the meaning provided in
18 RCW 69.51A.010.
19 ~~((20))~~ (21) "Dispense" means the interpretation of a
20 prescription or order for a controlled substance and, pursuant to
21 that prescription or order, the proper selection, measuring,
22 compounding, labeling, or packaging necessary to prepare that
23 prescription or order for delivery.
24 ~~((21))~~ (22) "Dispenser" means a practitioner who dispenses.
25 ~~((22))~~ (23) "Distribute" means to deliver other than by
26 administering or dispensing a controlled substance.
27 ~~((23))~~ (24) "Distributor" means a person who distributes.
28 ~~((24))~~ (25) "Drug" means (a) a controlled substance recognized
29 as a drug in the official United States pharmacopoeia/national
30 formulary or the official homeopathic pharmacopoeia of the United
31 States, or any supplement to them; (b) controlled substances intended
32 for use in the diagnosis, cure, mitigation, treatment, or prevention
33 of disease in individuals or animals; (c) controlled substances
34 (other than food) intended to affect the structure or any function of
35 the body of individuals or animals; and (d) controlled substances
36 intended for use as a component of any article specified in (a), (b),
37 or (c) of this subsection. The term does not include devices or their
38 components, parts, or accessories.

1 (~~(25)~~) (26) "Drug enforcement administration" means the drug
2 enforcement administration in the United States Department of
3 Justice, or its successor agency.

4 (~~(26)~~) (27) "Electronic communication of prescription
5 information" means the transmission of a prescription or refill
6 authorization for a drug of a practitioner using computer systems.
7 The term does not include a prescription or refill authorization
8 verbally transmitted by telephone nor a facsimile manually signed by
9 the practitioner.

10 (~~(27)~~) (28) "Immature plant or clone" means a plant or clone
11 that has no flowers, is less than (~~(twelve)~~) 12 inches in height, and
12 is less than (~~(twelve)~~) 12 inches in diameter.

13 (~~(28)~~) (29) "Immediate precursor" means a substance:

14 (a) that the commission has found to be and by rule designates as
15 being the principal compound commonly used, or produced primarily for
16 use, in the manufacture of a controlled substance;

17 (b) that is an immediate chemical intermediary used or likely to
18 be used in the manufacture of a controlled substance; and

19 (c) the control of which is necessary to prevent, curtail, or
20 limit the manufacture of the controlled substance.

21 (~~(29)~~) (30) "Isomer" means an optical isomer, but in subsection
22 (~~(33)~~) (34) (e) of this section, RCW 69.50.204(1) (l) and (hh), and
23 69.50.206(2) (d), the term includes any geometrical isomer; in RCW
24 69.50.204(1) (h) and (pp) and 69.50.210(3), the term includes any
25 positional isomer; and in RCW 69.50.204(1) (ii), 69.50.204(3), and
26 69.50.208(1), the term includes any positional or geometric isomer.

27 (~~(30)~~) (31) "Lot" means a definite quantity of cannabis,
28 cannabis concentrates, useable cannabis, or cannabis-infused product
29 identified by a lot number, every portion or package of which is
30 uniform within recognized tolerances for the factors that appear in
31 the labeling.

32 (~~(31)~~) (32) "Lot number" must identify the licensee by business
33 or trade name and Washington state unified business identifier
34 number, and the date of harvest or processing for each lot of
35 cannabis, cannabis concentrates, useable cannabis, or cannabis-
36 infused product.

37 (~~(32)~~) (33) "Manufacture" means the production, preparation,
38 propagation, compounding, conversion, or processing of a controlled
39 substance, either directly or indirectly or by extraction from
40 substances of natural origin, or independently by means of chemical

1 synthesis, or by a combination of extraction and chemical synthesis,
2 and includes any packaging or repackaging of the substance or
3 labeling or relabeling of its container. The term does not include
4 the preparation, compounding, packaging, repackaging, labeling, or
5 relabeling of a controlled substance:

6 (a) by a practitioner as an incident to the practitioner's
7 administering or dispensing of a controlled substance in the course
8 of the practitioner's professional practice; or

9 (b) by a practitioner, or by the practitioner's authorized agent
10 under the practitioner's supervision, for the purpose of, or as an
11 incident to, research, teaching, or chemical analysis and not for
12 sale.

13 (~~(33)~~) (34) "Narcotic drug" means any of the following, whether
14 produced directly or indirectly by extraction from substances of
15 vegetable origin, or independently by means of chemical synthesis, or
16 by a combination of extraction and chemical synthesis:

17 (a) Opium, opium derivative, and any derivative of opium or opium
18 derivative, including their salts, isomers, and salts of isomers,
19 whenever the existence of the salts, isomers, and salts of isomers is
20 possible within the specific chemical designation. The term does not
21 include the isoquinoline alkaloids of opium.

22 (b) Synthetic opiate and any derivative of synthetic opiate,
23 including their isomers, esters, ethers, salts, and salts of isomers,
24 esters, and ethers, whenever the existence of the isomers, esters,
25 ethers, and salts is possible within the specific chemical
26 designation.

27 (c) Poppy straw and concentrate of poppy straw.

28 (d) Coca leaves, except coca leaves and extracts of coca leaves
29 from which cocaine, ecgonine, and derivatives or ecgonine or their
30 salts have been removed.

31 (e) Cocaine, or any salt, isomer, or salt of isomer thereof.

32 (f) Cocaine base.

33 (g) Ecgonine, or any derivative, salt, isomer, or salt of isomer
34 thereof.

35 (h) Any compound, mixture, or preparation containing any quantity
36 of any substance referred to in (a) through (g) of this subsection.

37 (~~(34)~~) (35) "Opiate" means any substance having an addiction-
38 forming or addiction-sustaining liability similar to morphine or
39 being capable of conversion into a drug having addiction-forming or
40 addiction-sustaining liability. The term includes opium, substances

1 derived from opium (opium derivatives), and synthetic opiates. The
2 term does not include, unless specifically designated as controlled
3 under RCW 69.50.201, the dextrorotatory isomer of 3-methoxy-n-
4 methylmorphinan and its salts (dextromethorphan). The term includes
5 the racemic and levorotatory forms of dextromethorphan.

6 ~~((35))~~ (36) "Opium poppy" means the plant of the species
7 *Papaver somniferum* L., except its seeds.

8 ~~((36))~~ (37) "Package" means a container that has a single unit
9 or group of units.

10 ~~((37))~~ (38) "Person" means individual, corporation, business
11 trust, estate, trust, partnership, association, joint venture,
12 government, governmental subdivision or agency, or any other legal or
13 commercial entity.

14 ~~((38))~~ (39) "Plant" has the meaning provided in RCW 69.51A.010.

15 ~~((39))~~ (40) "Poppy straw" means all parts, except the seeds, of
16 the opium poppy, after mowing.

17 ~~((40))~~ (41) "Practitioner" means:

18 (a) A physician under chapter 18.71 RCW; a physician assistant
19 under chapter 18.71A RCW; an osteopathic physician and surgeon under
20 chapter 18.57 RCW; an optometrist licensed under chapter 18.53 RCW
21 who is certified by the optometry board under RCW 18.53.010 subject
22 to any limitations in RCW 18.53.010; a dentist under chapter 18.32
23 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a
24 veterinarian under chapter 18.92 RCW; a registered nurse, advanced
25 practice registered nurse, or licensed practical nurse under chapter
26 18.79 RCW; a naturopathic physician under chapter 18.36A RCW who is
27 licensed under RCW 18.36A.030 subject to any limitations in RCW
28 18.36A.040; a pharmacist under chapter 18.64 RCW or a scientific
29 investigator under this chapter, licensed, registered or otherwise
30 permitted insofar as is consistent with those licensing laws to
31 distribute, dispense, conduct research with respect to or administer
32 a controlled substance in the course of their professional practice
33 or research in this state.

34 (b) A pharmacy, hospital or other institution licensed,
35 registered, or otherwise permitted to distribute, dispense, conduct
36 research with respect to or to administer a controlled substance in
37 the course of professional practice or research in this state.

38 (c) A physician licensed to practice medicine and surgery, a
39 physician licensed to practice osteopathic medicine and surgery, a
40 dentist licensed to practice dentistry, a podiatric physician and

1 surgeon licensed to practice podiatric medicine and surgery, a
2 licensed physician assistant or a licensed osteopathic physician
3 assistant specifically approved to prescribe controlled substances by
4 his or her state's medical commission or equivalent and his or her
5 participating physician as defined in RCW 18.71A.010, an advanced
6 practice registered nurse licensed to prescribe controlled
7 substances, or a veterinarian licensed to practice veterinary
8 medicine in any state of the United States.

9 ~~((41))~~ (42) "Prescription" means an order for controlled
10 substances issued by a practitioner duly authorized by law or rule in
11 the state of Washington to prescribe controlled substances within the
12 scope of his or her professional practice for a legitimate medical
13 purpose.

14 ~~((42))~~ (43) "Production" includes the manufacturing, planting,
15 cultivating, growing, or harvesting of a controlled substance.

16 ~~((43))~~ (44) "Qualifying patient" has the meaning provided in
17 RCW 69.51A.010.

18 ~~((44))~~ (45) "Recognition card" has the meaning provided in RCW
19 69.51A.010.

20 ~~((45))~~ (46) "Retail outlet" means a location licensed by the
21 board for the retail sale of cannabis concentrates, useable cannabis,
22 and cannabis-infused products.

23 ~~((46))~~ (47) "Secretary" means the secretary of health or the
24 secretary's designee.

25 ~~((47))~~ (48) "Social equity plan" means a plan that addresses at
26 least some of the elements outlined in this subsection ~~((47))~~,
27 along with any additional plan components or requirements approved by
28 the board following consultation with the task force created in RCW
29 69.50.336. The plan may include:

30 (a) A statement that indicates how the cannabis licensee will
31 work to promote social equity goals in their community;

32 (b) A description of how the cannabis licensee will meet social
33 equity goals as defined in RCW 69.50.335;

34 (c) The composition of the workforce the licensee has employed or
35 intends to hire; and

36 (d) Business plans involving partnerships or assistance to
37 organizations or residents with connections to populations with a
38 history of high rates of enforcement of cannabis prohibition.

39 ~~((48))~~ (49) "State," unless the context otherwise requires,
40 means a state of the United States, the District of Columbia, the

1 Commonwealth of Puerto Rico, or a territory or insular possession
2 subject to the jurisdiction of the United States.

3 ~~((49))~~ (50) "THC concentration" means percent of
4 tetrahydrocannabinol content of any part of the plant *Cannabis*, or
5 per volume or weight of cannabis product, or the combined percent of
6 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of
7 the plant *Cannabis* regardless of moisture content.

8 ~~((50))~~ (51) "Ultimate user" means an individual who lawfully
9 possesses a controlled substance for the individual's own use or for
10 the use of a member of the individual's household or for
11 administering to an animal owned by the individual or by a member of
12 the individual's household.

13 ~~((51))~~ (52) "Unit" means an individual consumable item within a
14 package of one or more consumable items in solid, liquid, gas, or any
15 form intended for human consumption.

16 ~~((52))~~ (53) "Useable cannabis" means dried cannabis flowers.
17 The term "useable cannabis" does not include either cannabis-infused
18 products or cannabis concentrates.

19 ~~((53))~~ (54) "Youth access" means the level of interest persons
20 under the age of ~~((twenty-one))~~ 21 may have in a vapor product, as
21 well as the degree to which the product is available or appealing to
22 such persons, and the likelihood of initiation, use, or addiction by
23 adolescents and young adults.

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

26 (1) Nothing in this act shall be construed to supersede or
27 prohibit local bans or moratoriums on activities created under RCW
28 69.50.325 or 69.51A.250 and in accordance with RCW 35A.63.220.

29 (2) The legislative authority of a city, town, or county may
30 adopt an ordinance that bans, prohibits, or places a moratorium on
31 the production and possession of cannabis plants, and the cannabis
32 and cannabis products derived from those plants, on the premises of a
33 housing unit as authorized in RCW 69.50.4013(7) within areas zoned
34 primarily for residential use.

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

37 (1) No civil or criminal liability may be imposed by any court on
38 the state or its officers and employees for actions taken in good

1 faith under this chapter and within the scope of their assigned
2 duties.

3 (2) No civil or criminal liability may be imposed by any court on
4 cities, towns, and counties or other municipalities and their
5 officers and employees for actions taken in good faith under this
6 chapter and within the scope of their assigned duties.

7 NEW SECTION. **Sec. 8.** Section 4 of this act expires June 30,
8 2027.

9 NEW SECTION. **Sec. 9.** Section 5 of this act takes effect June
10 30, 2027.

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