

WSR 24-05-053

AGENDA

LIQUOR AND CANNABIS BOARD

[Filed February 16, 2024, 3:13 p.m.]

2024 Semi-Annual Rule-Making Agenda

January 31 - June 30, 2024

Cannabis Rule Making						
NEGOTIATED RULE MAKING						
Rule Topic/Title	WAC Section	Drafter	Purpose for Rule Making	CR-101	CR-102	CR-103
THC bill implementation	314-55-010 314-55-080 314-55-095 314-55-102 314-55-105 314-55-106 314-55-109 314-55-560	Cassidy West	To modify chapter 314-55 WAC as necessary to align applicable rules with statutory requirements created, amended, or repealed by E2SSB 5367 (chapter 365, Laws of 2023). The legislation is related to the regulation of products containing THC.	June 21, 2023 WSR 23-13-129	Anticipate CR-102 in 1st quarter of 2024.	Anticipate adoption in 2nd quarter of 2024.
Social equity in cannabis (E2SSB 5080) implementation	314-55-010 314-55-570	Cassidy West	To modify WAC 314-55-010, 314-55-570, and other applicable sections of chapter 314-55 WAC to align rules with statutory requirements created, amended, or repealed by E2SSB 5080 (chapter 220, Laws of 2023). The legislation is related to expanding and improving the social equity in cannabis program.	November 8, 2023 WSR 23-23-062	Anticipate filing CR-102 in 2nd quarter of 2024.	Anticipate adoption in 2nd quarter of 2024.
Medical cannabis endorsements	314-55-020 314-55-080	Daniel Jacobs	To consider modifying WAC 314-55-020 and 314-55-080 to create a mechanism to rescind medical cannabis endorsements for cannabis retailers that do not meet the regulatory requirements. The liquor and cannabis board (board) accepted a rule petition in 2023 to initiate the rule-making proceedings.	October 25, 2023 WSR 23-22-063	Anticipate filing CR-102 in 1st quarter of 2024.	Anticipate adoption in 2nd quarter of 2024.
Allowing certain minors (under 21) on producer and processor licensed premises	314-55-015	Denise Laflamme	To consider modifying WAC 314-55-015 to allow persons under the age of 21 on the licensed premises producers and processors under certain, limited conditions. The board accepted a rule petition in 2022 to initiate the rule-making proceedings.	Anticipate filing CR-101 in 1st quarter of 2024.	Anticipate filing CR-102 in 2nd quarter of 2024.	Anticipate adoption in 2nd quarter of 2024.

Cannabis Rule Making						
NEGOTIATED RULE MAKING						
Rule Topic/Title	WAC Section	Drafter	Purpose for Rule Making	CR-101	CR-102	CR-103
Flexible payment terms for wholesale cannabis transactions	314-55-115	Jeff Kildahl	To consider modifying WAC 314-55-115 to allow payments for wholesale cannabis transactions to be made within three days of delivery, including the day of delivery, instead of prior to or at the time of delivery, as currently required. The board accepted a rule petition in 2023 to initiate the rule-making proceedings.	Anticipate filing CR-101 in 1st quarter of 2024.	Anticipate filing CR-102 in 2nd quarter of 2024.	Anticipate adoption in 2nd quarter of 2024.
Vendor, educational, and internal quality control sampling	314-55-095	Cassidy West	To consider modifying WAC 314-55-095 to review and update vendor, educational, and internal quality control sampling. The board accepted a rule petition in 2022 to initiate the rule-making proceedings.	March 1, 2023 WSR 23-06-079	Anticipate filing CR-102 in 1st quarter of 2024.	Anticipate adoption in 2nd quarter of 2024.
Cannabis advertising	314-55-155	Cassidy West	To consider modifying WAC 314-55-155 to update the cannabis advertising requirements including, but not limited to, clarifying and technical updates to existing rules.	August 31, 2022 WSR 22-18-057	Anticipate filing CR-102 in 2nd quarter of 2024.	Anticipate adoption in 3rd quarter of 2024.

Alcohol Rule Making						
NEGOTIATED RULE MAKING						
Rule Topic/Title	WAC Section	Drafter	Purpose for Rule Making	CR-101	CR-102	CR-103
Alcohol delivery and take out endorsements (SSB 5448), and MAST 13 permit privileges	314-03-035 314-03-200 314-03-205 315-03-500 314-03-505 314-03-510 314-03-600 314-11-040 314-17-015	Daniel Jacobs	Modified WAC 314-17-015 and other sections of Title 314 WAC as necessary to allow MAST 13 permit holders to open and pour beer or wine in areas where minors are not prohibited. Modified Title 314 WAC to align rules with the statutory requirements that were created, amended, or repealed by SSB 5448 (chapter 279, Laws of 2023). The legislation is related to liquor licensee privileges for the delivery of alcohol.	July 19, 2023 WSR 23-05-116	December 6, 2023 WSR 23-24-100	January 31, 2024 WSR-24-04-042
Trade areas	314-02-1071	Daniel Jacobs	Modify WAC 314-02-1071 to address the historical omission of recognizing tribal sovereignty and return oversight of licensed alcohol entities on tribal land to tribes.	May 24, 2024 WSR 23-11-160	January 3, 2024 WSR 24-02-094	Anticipate adoption in 1st quarter of 2024.

Alcohol Rule Making						
NEGOTIATED RULE MAKING						
Rule Topic/Title	WAC Section	Drafter	Purpose for Rule Making	CR-101	CR-102	CR-103
Prohibited conduct	314-11-050	Daniel Jacobs	To consider modifying WAC 314-11-050 to modernize the requirements related to the types of conduct prohibited on premises with a liquor license.	February 14, 2024 WSR-24-042	Anticipate CR-102 in 2nd quarter of 2024.	Anticipate adoption in 2nd quarter of 2024.
Tobacco and Vapor Products Rule Making						
EXPEDITED RULE MAKING						
Rule Topic/Title	WAC Section	Drafter	Purpose of Rule Making	CR-105	CR-103	
Penalties for selling tobacco products to minors	314-35-075	Denise Laflamme	Amend WAC 314-35-075 to implement section 4 of ESSB 5365 (chapter 398, Laws of 2023). The legislation increases monetary penalties the board can impose on licensed retailers under RCW 70.155.100 for violations of RCW 26.28.080 pertaining to selling or giving cigarette, tobacco, or vapor products to persons under 21 years of age.	January 17, 2024 WSR 24-03-089	Anticipate adoption in 1st quarter of 2024.	
General Rule Making						
EXPEDITED RULE MAKING						
Rule Topic/Title	WAC Section	Drafter	Purpose of Rule Making	CR-105	CR-103	
Update acronym used to reference the Washington state liquor and cannabis board	Title 314 WAC	Jeff Kildahl	Amend Title 314 WAC as necessary to change the acronym used to reference the board from "WLCB" to "LCB."	Anticipated filing CR-105 in 1st quarter of 2024.	Anticipate adoption in 2nd quarter of 2024.	