

WSR 24-06-026
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD

[Filed February 28, 2024, 11:24 a.m.]

Subject of Possible Rule Making: Title 314 WAC; the Washington state liquor and cannabis board (LCB) is considering amending WAC 314-55-015 to allow persons under 21 years of age on licensed premises of cannabis producers and processors under certain conditions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.325, 69.50.342, 69.50.345.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In August 2022, LCB accepted two petitions, both from the same petitioner, to consider rule making to amend WAC 314-55-015(2) to allow for exemptions to the prohibition of persons under the age of 21 on the premises of licensed cannabis producers and processors. One petition requested that LCB codify a temporary cannabis license allowance, put in place in March 2020 in response to COVID-19, that permitted minors under 16 years of age on licensed premises of cannabis producers and processors in limited circumstances. These circumstances included that the child under 16 was a child or grandchild of the licensee, was not engaging in any work or act of employment for the licensed business, and did not possess any products associated with the production, processing, or sales of cannabis. This allowance expired on December 31, 2022.

The second petition requested that employees under the age of 21 of contractors engaged in construction, electrical, plumbing, HVAC work, etc., be permitted on licensed premises of cannabis producers and processors, provided the person is over the age of 16 and not engaging in any work related to production, processing, or sales of cannabis.

Under WAC 314-55-015(2), no one under 21 years of age may enter or remain on cannabis licensed premises except as provided in RCW 69.50.357, which allows qualifying patients under 21 years of age on the premises of retail outlets only under certain conditions. Statute explicitly prohibits the delivery, sale, or possession of cannabis products to persons under 21 years of age but does not prohibit persons under 21 years of age to enter or remain on the licensed premises of a producer or processor. LCB has broad statutory authority to adopt rules that regulate producer and processor licenses as provided in RCW 69.50.325, 69.50.342, and 69.50.345.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Denise Laflamme, Rules Coordinator, P.O. Box 43080, Olympia WA 98504, phone 360-819-0452, fax 360-704-5027, email rules@lcb.wa.gov, website lcb.wa.gov.

Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WLCB/subscriber/new>. Rule-making notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the LCB website at lcb.wa.gov.

February 28, 2024
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