

WSR 21-05-074
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR AND CANNABIS
BOARD

[Filed February 17, 2021, 10:41 a.m.]

Subject of Possible Rule Making: WAC 314-55-040 What criminal history might prevent a marijuana (cannabis) license applicant from receiving or keeping a marijuana (cannabis) license?, the Washington state liquor and cannabis board (board) is considering changes to current rules that frame the standards and thresholds for criminal history checks for marijuana (cannabis) licensees. Additional rules specifically related to this topic may be amended or created as necessary to accomplish the overarching goal of this project.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 69.50.331, 69.50.342.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Initiative 502 (I-502) established a legal framework for the board to review the criminal history of marijuana (cannabis) license applicants, along with broad rule-making authority to create rules related to criminal history background check standards. The initial rules concerning this subject were initially established in late 2013, and the most recent revision occurred in early 2016.

The board seeks to reevaluate current criminal history background check standards in an effort to remove unnecessary barriers to entry in the legal marijuana (cannabis) market by those individuals disproportionately [disproportionately] impacted by marijuana (cannabis) criminalization. Revisions considered will be designed to support socially equitable conditions by deconstructing current rules in a way that creates fair and meaningful access to the economic opportunities afforded by marijuana (cannabis) legalization.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Collaborative rule development.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Casey Schaufler, P.O. Box 43100, Olympia, WA 98504, phone 360-664-1760, fax 360-664-9689, 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/WALCB/subscriber/new>. Rule-making notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the board website at lcb.wa.gov.

February 17, 2021
Jane Rushford
Chair