



SEATTLE CITY COUNCIL

Legislative Summary

CB 119636

Record No.: CB 119636

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125937

In Control: City Clerk

File Created: 09/04/2019

Final Action: 10/04/2019

Title: AN ORDINANCE relating to the sale and use of tobacco and marijuana products to and by minors; amending Sections 6.240.010 and 6.240.100 of the Seattle Municipal Code; and adding a new Section 12A.20.110 to the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Harrell

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: Emilia.Sanchez@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	09/05/2019	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
1	Council President's Office	09/05/2019	sent for review	Governance, Equity, and Technology Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Governance, Equity, and Technology Committee						
1	City Council	09/09/2019	referred	Governance, Equity, and Technology Committee			
1	Governance, Equity, and Technology Committee	09/17/2019	pass				Pass
	Action Text: The Committee recommends that City Council pass the Council Bill (CB). In Favor: 2 Chair Harrell, Vice Chair Herbold Opposed: 0						

1 City Council 09/23/2019 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

Notes:

Councilmember Sawant left the Council Chamber at 4:25 p.m.

In Favor: 8 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Pacheco

Opposed: 0

Absent(NV): 1 Councilmember Sawant

1 City Clerk 09/27/2019 submitted for Mayor
Mayor's signature

1 Mayor 10/04/2019 Signed
Action Text: The Council Bill (CB) was Signed.

1 Mayor 10/04/2019 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk

1 City Clerk 10/04/2019 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.

CITY OF SEATTLE

ORDINANCE 125937

COUNCIL BILL 119636

AN ORDINANCE relating to the sale and use of tobacco and marijuana products to and by minors; amending Sections 6.240.010 and 6.240.100 of the Seattle Municipal Code; and adding a new Section 12A.20.110 to the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 6.240.010 of the Seattle Municipal Code, last amended by Ordinance 124301, is amended as follows:

6.240.010 Definitions ((:))

As used in this ((chapter)) Chapter 6.240, the following terms shall have the following meanings:

A. "Minor" means any individual who is less than ((eighteen (18))) 21 years of age.

* * *

Section 2. Section 6.240.100 of the Seattle Municipal Code, last amended by Ordinance 124301, is amended as follows:

6.240.100 Sale of tobacco product to minor unlawful((-))

A. Every person who sells or gives, or permits to be sold or given, to any ((person under the age of eighteen (18) years)) minor any cigar, cigarette, cigarette paper or wrapper, tobacco in any form, or a vapor product is guilty of a gross misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04, except that absolute liability shall be imposed and none of the mental states described in Section 12A.04.030 need be proved. It shall be no defense to a prosecution for a violation of this subsection that the person acted, or was believed by the defendant to act, as agent or representative of another.

1 B. No tobacco product retailer shall sell or permit any agent or employee of such retailer
2 to sell any tobacco product to a potential purchaser where there may be any question of such
3 purchaser's right to purchase a tobacco product because of ~~((his or her))~~ the purchaser's age,
4 without first having requested and examined identification provided by the potential purchaser
5 that positively establishes that said person is not ~~((less than eighteen (18) years old))~~ a minor. In
6 the event that the tobacco product retailer or an agent or employee thereof fails to request and
7 examine such identification before making a tobacco product sale and the purchaser was, in fact,
8 ~~((less than eighteen (18) years old))~~ a minor at the time such failure occurs, such retailer shall be
9 deemed to have had no conclusive basis for determining that a tobacco product sale could
10 lawfully be made to such purchaser. Every tobacco product sale to a minor shall constitute a
11 separate violation unless multiple purchases are made during a single visit by such minor to a
12 tobacco product retailer's premises, in which event all sales made during that visit shall constitute
13 a single violation.

14 Section 3. A new Section 12A.20.110 is added to the Seattle Municipal Code as follows:

15 **12A.20.110 Selling marijuana products to minor**

16 A. Except as authorized in chapter 69.50 RCW, an employee of a retail outlet who sells
17 marijuana products to a person under the age of 21 years in the course of employment is guilty of
18 a gross misdemeanor.

19 B. As authorized by Section 12A.04.100, liability for selling marijuana products to a
20 minor does not require proof of any of the mental states described in Section 12A.04.030.

21 C. For purposes of this Section 12A.20.110:

22 “Marijuana products” means useable marijuana, marijuana concentrates, and marijuana-
23 infused products as defined in Section 12A.20.100.

1 “Retail outlet” means a location licensed by the Washington Liquor and Cannabis Board
2 for the retail sale of marijuana products.

1 Section 4. Sections 1 and 2 of this ordinance shall take effect and be in force on January
2 1, 2020.

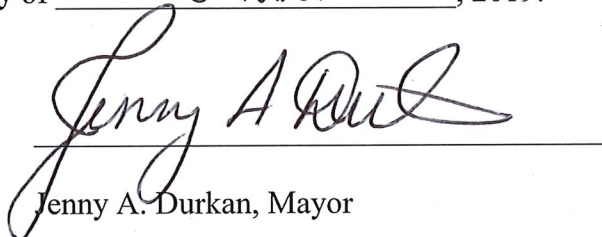
3 Section 5. This ordinance shall take effect and be in force 30 days after its approval by
4 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
5 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

6 Passed by the City Council the 23rd day of September, 2019,
7 and signed by me in open session in authentication of its passage this 23rd day of
8 September, 2019.

9 

10 President _____ of the City Council

11 Approved by me this 4th day of October, 2019.

12 
13 Jenny A. Durkan, Mayor

14 Filed by me this 4th day of OCTOBER, 2019.

15 

16 Monica Martinez Simmons, City Clerk

17 (Seal)