



Summary of Senate Bill 5052

Rules for Qualifying Patients

- ◇ Qualifying illnesses expanded to include PTSD.
- ◇ If over 18, must renew authorization annually.
- ◇ Those under 18 must renew authorization every 6 months.
- ◇ Home processing will be subject to rules issued by the LCB.
- ◇ Schools may permit a minor to consume marijuana on school grounds.

Purchase/Possession Limits (with recognition card)

- ◇ 48 ounces of marijuana infused product in solid form.
- ◇ 3 ounces of useable marijuana.
- ◇ 216 ounces of marijuana infused product in liquid form
- ◇ 21 grams of marijuana concentrate.
 - Amounts can be increased with health care professional authorization.

Home Grow

- ◇ 6 plant per individual limit, may possess 8 ounces of marijuana from own plants.
- ◇ Purchase and home grow limit may be increased by health care professional to 15 plants and 16 ounces of marijuana.
- ◇ No more than 15 plants may be grown unless part of a cooperative.
- ◇ All grows may only be located in a domicile of a qualifying patient or designated provider.
- ◇ Production and processing cannot occur in location readily seen by unaided vision or readily smelled from a public place or the private property of another housing unit.
- ◇ Cities may create civil penalties for growing and processing and for number of plants.
- ◇ Patients not entered into the authorization database are limited to 4 plants, six ounces of marijuana, and purchase limits of recreational marijuana customers.

Authorization Database

- ◇ Voluntary to register for those over 18. Benefits of being registered and issued a recognition card include: arrest protection, waiving of sales tax (pending passage of HB 2136), and ability to grow/possess more amounts of medical marijuana.
 - Affirmative defense remains for qualifying patients that do not register. Smaller grow/possession amounts.
- ◇ Qualifying patients that are under 18 and their parent/guardian must be entered into the authorization database.
- ◇ The database is exempt from public disclosure.
- ◇ Database may be released for the purpose of statistical analysis with all personally identifying information redacted.
- ◇ Information shall only be released to the federal government if a particular patient or designated provider is convicted in state court for violating RCW 69.50.
- ◇ \$1 fee for issuance and renewal of recognition card.
- ◇ It is a Class C Felony to improperly access database.

Collective Gardens

- ◇ Disallowed beginning July 1, 2016.
- ◇ Until July 1, 2016, only qualifying patients 21 and older may join a collective garden.
- ◇ A designated provider may join a collective garden and obtain marijuana for a qualifying patient under 21.

Cooperative Grow

- ◇ No more than four members. All members must hold recognition cards.
- ◇ Members may only participate in one cooperative. 60 day waiting period before a new member may join after one leaves.
- ◇ May not sell, donate or provide marijuana to non-members.
- ◇ Must provide assistance in growing plants. Monetary contribution or donation is not considered assistance.
- ◇ A designated provider of a qualifying patient under 21 may join.
- ◇ May not be located within one mile of a marijuana retailer.
- ◇ Maximum of 60 plants and 72 ounces of useable marijuana.
- ◇ Cooperative must be located in the domicile of a member and no more than one cooperative per property tax parcel.

Rules for Health Care Professionals (HCP)

- ◇ Must have a documented relationship with the patient as principal care provider or specialist.
- ◇ In-person physical exam required.
- ◇ HCP must document the terminal or debilitating illness requiring use of marijuana.
- ◇ Renewal of authorization requires an in-person exam.
- ◇ HCP can not partner with a marijuana retailer, processor or producer.
- ◇ HCP must report total number of authorizations to the WA Department of Health if in excess of 30 in one month.
- ◇ Authorizations for minor patients requires parent or guardian's permission and agreement to be minor's designated provider.

New Retail & Producer Licenses

- ◇ LCB required to issue new retail licenses. Number to be set through rulemaking.
- ◇ Licensees chosen through merit-based application demonstrating experience and qualifications in marijuana industry.
- ◇ New Licensee Applicant Priority
 - *1st Priority:* Applicants who applied for LCB marijuana retailer license lottery in 2014 and operated or were employed by a collective garden prior to January 1, 2013
 - *2nd Priority:* Applicants who operated or were employed by a collective garden before January 1, 2013.
- ◇ All applicants must have state business license, municipal business license and history of paying all applicable state taxes and fees.
- ◇ LCB must consider expanding square footage of canopy to accommodate for medical marijuana
- ◇ If needed, LCB may reopen licensing for producers.
 - Priority for new licenses will be towards those with pending applications on file.

Rules for Medical Retail Stores

- ◇ May advertise themselves as medical. Same restrictions on advertising as recreational retail stores.
- ◇ May not issue authorizations for medical marijuana onsite or permit healthcare providers to do so at their store.
- ◇ Will be required to carry certain types of marijuana and marijuana-infused products.
 - Types to be determined by WA Department of Health and LCB.
- ◇ Banned from having products that are intentionally attractive to minors.
- ◇ Required to enter qualifying patients and designated providers in the authorization database and issue recognition cards.
- ◇ May sell products with less than .3 percent THC concentration
- ◇ Qualifying patients with recognition cards between 18-21 may purchase from medical retail stores

New rules to be adopted by Liquor & Cannabis Board and WA Department of Health

- ◇ Types of products to be required to be carried by medical stores.
- ◇ Labeling requirements.
- ◇ Expanding testing requirements - presence of fungus, mold or pesticide.
- ◇ Training requirements for employees at medical stores.
- ◇ Creation of Medical Marijuana Consultant Certificate.
- ◇ WA Department of Health must develop recommendation for creation of a Medical Marijuana Specialty Clinic which would allow for authorization and dispensing of medical marijuana on the same site.