

---

**SUBSTITUTE SENATE BILL 5947**

---

**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Kohl-Welles, McCaslin, Swecker, Thibaudeau, Brandland and Franklin; by request of Lieutenant Governor)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to medical use of marijuana; and creating new  
2 sections.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) A task force to review the  
5 implementation of chapter 2, Laws of 1999 is created.

6 (2) The task force shall consist of one representative from each of  
7 the following groups: County prosecuting attorneys; physicians  
8 licensed under chapter 18.71 RCW; the department of health; the  
9 superior court judges; the attorney general; the association of  
10 sheriffs and police chiefs; an attorney to be appointed by the  
11 Washington state bar association with extensive experience in the area  
12 of criminal defense and representation of clients whose legal history  
13 includes interaction with law enforcement agencies on the matter of  
14 medicinal marijuana use; an organization representing police officers  
15 and deputy sheriffs; and the lieutenant governor.

16 (3) The task force shall review the history of the implementation  
17 of chapter 2, Laws of 1999, to determine if further statutory or  
18 administrative clarification is needed. In its review, the task force  
19 shall examine issues of patient and physician utilization rates and

1 concerns, prosecution and law enforcement difficulties and needs,  
2 relevant case law changes, statutory and administrative barriers to  
3 full implementation of the act, and any concerns raised by the  
4 applicable federal statutes. The task force shall make appropriate  
5 findings and recommendations, but is not required to produce a formal  
6 report.

7 (4) The first meeting of the task force shall be convened by the  
8 department of health not later than July 15, 2003. The task force  
9 shall present its findings and recommendations to the governor, the  
10 legislature, and its membership not later than December 1, 2003.

11 (5) The members of the task force shall serve without compensation.

12 NEW SECTION. **Sec. 2.** The attorney general is requested to file,  
13 in the federal district court for the district of western Washington,  
14 a motion for declaratory judgment for the purpose of determining what  
15 advice physicians may provide patients regarding the use of medicinal  
16 marijuana under Washington state laws, consistent with the federal  
17 uniform controlled substances act as determined by the case of *Conant*  
18 *v. Walters*, 309 F.3rd 629 (9th Cir. 2002).

--- END ---