
SENATE BILL 6505

State of Washington 59th Legislature 2006 Regular Session

By Senators Oke and McAuliffe

Read first time 01/13/2006. Referred to Committee on Judiciary.

1 AN ACT Relating to drug paraphernalia; adding a new section to
2 chapter 69.50 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 69.50 RCW
5 to read as follows:

6 (1) Except as authorized by law, it is unlawful for any person to
7 willfully maintain or operate any business knowingly, or under
8 circumstances where one should reasonably know, that drug paraphernalia
9 is displayed or distributed at such business.

10 (2) Except as authorized by law, it is unlawful for any person who
11 is the owner of a business, an employee thereof, or who works at such
12 business as an agent of the owner, to willfully display or distribute
13 drug paraphernalia at such business knowingly, or under circumstances
14 where one should reasonably know, that it is drug paraphernalia or will
15 be used as such.

16 (3) Law enforcement officers may provide verbal or written
17 notification to any person or business that drug paraphernalia is on
18 display or being distributed at the business.

1 (4)(a) For purposes of this section, "business" means any location,
2 whether indoors or outdoors, at which merchandise is offered for sale.

3 (b) "Display" means to show to a patron or place in a manner so as
4 to be available for viewing or inspection by a patron.

5 (c) "Distribute" means to transfer ownership or a possessory
6 interest to another, whether for consideration, as a gratuity or gift,
7 for consignment, or otherwise.

8 (d) "Drug paraphernalia" means any of the following:

9 (i) Any item, whether used for nondrug-related purposes or not,
10 which is displayed, grouped with other items, advertised, or promoted
11 in a manner to reasonably suggest its usefulness in the growing,
12 harvesting, processing, manufacturing, preserving, inhaling, injecting,
13 or ingesting of marijuana, hashish, cocaine, methamphetamine, or any
14 controlled substance.

15 (ii) Any item, whether used for nondrug-related purposes or not,
16 which is designed, decorated, adorned, packaged, or displayed in a
17 manner to reasonably suggest its usefulness in the growing, harvesting,
18 processing, inhaling, injecting, or ingesting of marijuana, hashish,
19 cocaine, methamphetamine, or any controlled substance.

20 (iii) For purposes of this section, "drug paraphernalia" shall
21 include, without limitation: All equipment, products, and materials of
22 any kind, whether used for nondrug-related purposes or not, which are
23 used, intended for use, or designed for use in planting, propagating,
24 cultivating, growing, harvesting, manufacturing, compounding,
25 converting, producing, processing, preparing, testing, analyzing,
26 packaging, repackaging, storing, containing, concealing, injecting,
27 ingesting, inhaling, or otherwise introducing into the human body a
28 controlled substance. It includes, but is not limited to:

29 (A) Kits used, intended for use, or designed for use in planting,
30 propagating, cultivating, growing, or harvesting of any species of
31 plant which is a controlled substance or from which a controlled
32 substance can be derived;

33 (B) Kits used, intended for use, or designed for use in
34 manufacturing, compounding, converting, producing, processing, or
35 preparing controlled substances;

36 (C) Isomerization devices used, intended for use, or designed for
37 use in increasing the potency of any species of plant which is a
38 controlled substance;

1 (D) Testing equipment used, intended for use, or designed for use
2 in identifying or in analyzing the strength, effectiveness, or purity
3 of controlled substances;

4 (E) Scales and balances used, intended for use, or designed for use
5 in weighing or measuring controlled substances;

6 (F) Diluents and adulterants, such as quinine hydrochloride,
7 mannitol, mannite, dextrose, and lactose, used, intended for use, or
8 designed for use in cutting controlled substances;

9 (G) Separation gins and sifters used, intended for use, or designed
10 for use in removing twigs and seeds from, or in otherwise cleaning or
11 refining, marihuana;

12 (H) Blenders, bowls, containers, spoons, and mixing devices used,
13 intended for use, or designed for use in compounding controlled
14 substances;

15 (I) Capsules, balloons, envelopes, and other containers used,
16 intended for use, or designed for use in packaging small quantities of
17 controlled substances;

18 (J) Containers and other objects used, intended for use, or
19 designed for use in storing or concealing controlled substances;

20 (K) Hypodermic syringes, needles, and other objects used, intended
21 for use, or designed for use in parenterally injecting controlled
22 substances into the human body;

23 (L) Objects used, intended for use, or designed for use in
24 ingesting, inhaling, or otherwise introducing marihuana, cocaine,
25 hashish, or hashish oil into the human body, such as: Metal, wooden,
26 acrylic, glass, stone, plastic, or ceramic pipes with or without
27 screens, permanent screens, hashish heads, or punctured metal bowls;
28 water pipes; carburetion tubes and devices; smoking and carburetion
29 masks; roach clips, meaning objects used to hold burning material, such
30 as a marihuana cigarette, that has become too small or too short to be
31 held in the hand; miniature cocaine spoons, and cocaine vials; chamber
32 pipes; carburetor pipes; electric pipes; air-driven pipes; chillums;
33 bongs; and ice pipes or chillers.

34 (5) A person who violates subsection (1) or (2) of this section is
35 guilty of a misdemeanor.

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