

E3SSB 5887 - H AMD TO H AMD (5887-S3.E AMH CODY BLAC 155) **983**

By Representative Cody

1 On page 7, line 34 of the striking amendment, after "RCW" strike
2 "69.51A(7)" and insert "69.51A.010(7)"

3
4 On page 8, line 8 of the striking amendment, after "use of" strike
5 "cannabis" and insert "((~~cannabis~~) marijuana)"

6
7 On page 10, beginning on line 25 of the striking amendment, after
8 "by" strike "the liquor and cannabis board or"

9
10 On page 14, beginning on line 2 of the striking amendment, after
11 "liquor" strike "and cannabis" and insert "control"

12
13 On page 16, after line 32 of the striking amendment, insert the
14 following:

15 "**Sec. 10.** RCW 69.51A.043 and 2011 c 181 s 402 are each amended to
16 read as follows:

17 (1) A qualifying patient or designated provider who is not
18 registered with the registry established in ((~~*section 901~~)) section 7
19 of this act may raise the affirmative defense set forth in subsection
20 (2) of this section, if:

21 (a) The qualifying patient or designated provider presents his or
22 her valid documentation to any ((~~peace~~)) law enforcement officer who
23 questions the patient or provider regarding his or her medical use of
24 ((~~cannabis~~)) marijuana;

25 (b) The qualifying patient or designated provider possesses no
26 more ((~~cannabis~~)) marijuana than the limits set forth in RCW
27 69.51A.040(1);

1 (c) The qualifying patient or designated provider is in compliance
2 with all other terms and conditions of this chapter;

3 (d) The investigating ~~((peace))~~ law enforcement officer does not
4 have probable cause to believe that the qualifying patient or
5 designated provider has committed a felony, or is committing a
6 misdemeanor in the officer's presence, that does not relate to the
7 medical use of ~~((cannabis))~~ marijuana; and

8 (e) No outstanding warrant for arrest exists for the qualifying
9 patient or designated provider~~((; and~~

10 ~~((f) The investigating peace officer has not observed evidence of
11 any of the circumstances identified in *section 901(4) of this act)).~~

12 (2) A qualifying patient or designated provider who is not
13 registered with the registry established in ~~((*section 901))~~ section 7
14 of this act, but who presents his or her valid documentation to any
15 ~~((peace))~~ law enforcement officer who questions the patient or
16 provider regarding his or her medical use of ~~((cannabis))~~ marijuana,
17 may assert an affirmative defense to charges of violations of state
18 law relating to ~~((cannabis))~~ marijuana through proof at trial, by a
19 preponderance of the evidence, that he or she otherwise meets the
20 requirements of RCW 69.51A.040. A qualifying patient or designated
21 provider meeting the conditions of this subsection but possessing more
22 ~~((cannabis))~~ marijuana than the limits set forth in RCW 69.51A.040(1)
23 may, in the investigating ~~((peace))~~ law enforcement officer's
24 discretion, be taken into custody and booked into jail in connection
25 with the investigation of the incident."

26
27 Renumber the remaining sections consecutively and correct any
28 internal references accordingly.

29
30 On page 18, line 2 of the striking amendment, after
31 "authorization" strike "care" and insert "card"

32
33 On page 21, line 15 of the striking amendment, after "useable
34 marijuana" strike ",," and insert "or"

1
2 On page 21, beginning on line 27 of the striking amendment, after
3 "concentration," strike all material through "products," on line 28
4 and insert "useable marijuana,"

5
6 On page 22, line 20 of the striking amendment, after "useable
7 marijuana," strike "marijuana products,"

8
9 On page 23, beginning on line 13 of the striking amendment, after
10 "exemptions for" strike all material through "marijuana-infused" and
11 insert "useable marijuana, and marijuana"

12

EFFECT: Corrects grammatical, typographical, and referential errors. Eliminates references to "marijuana concentrates."

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