

E3SSB 5887 - H AMD TO H AMD (5887-S3.E AMH CODY BLAC 155) **984**

By Representative Shea

1 On page 1, beginning on line 15 of the striking amendment, after
2 "incomplete" strike all material through "other" on line 20 and insert
3 ". The legislature intends to make"

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5 On page 2, beginning on line 1 of the striking amendment, after
6 "transition" strike all material through "marijuana" on line 5

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8 On page 6, beginning on line 19 of the striking amendment, after
9 "(10)" strike all material through "(11)" on line 22

10
11 Renumber the remaining subsections consecutively and correct any
12 internal references accordingly.

13
14 On page 7, line 31 of the striking amendment, after "(b)" strike
15 "~~((Providing))~~ Registering" and insert "Providing"

16
17 On page 7, beginning on line 32 of the striking amendment, after
18 "69.51A.010" strike all material through "69.51A(7)" on line 34 and
19 insert "~~((+26+))~~ (4) with valid documentation under RCW 69.51A.010(7)"

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21 On page 8, beginning on line 8 of the striking amendment, after
22 "use of" strike all material through "act" on line 10 and insert
23 "~~((cannabis or register the patient with the registry established in
24 section 901 of this act))~~ marijuana"

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26 On page 11, beginning on line 25 of the striking amendment, strike
27 all of sections 7 through 9

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Renumber the remaining subsections consecutively and correct any internal references accordingly.

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

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

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

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

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

(i) Fifteen marijuana plants; and

(ii)(A) No more than twenty-four ounces of useable marijuana;

(B) No more marijuana product than that which could be reasonably produced with no more than twenty-four ounces of useable marijuana; or

(C) A combination of useable marijuana and marijuana product that does not exceed a combined total representing possession and processing of not more than twenty-four ounces of useable marijuana;

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

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

1 (e) No outstanding warrant for arrest exists for the qualifying
2 patient or designated provider(~~(+ and~~

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

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

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19 Renumber the remaining sections consecutively and correct any
20 internal references accordingly.

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22 On page 17, beginning on line 3 of the striking amendment, after
23 "who" strike all material through "act or" on line 5 and insert "~~(is~~
24 ~~not registered with the registry established in section 901 of this~~
25 ~~act or))"~~

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27 On page 18, line 2 of the striking amendment, after
28 "documentation" strike "or an authorization care"

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30 On page 19, line 17 of the striking amendment, after "to the"
31 strike "department and"

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33 On page 19, line 24 of the striking amendment, after "to the"
34 strike "department and the"

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2 On page 19, beginning on line 29 of the striking amendment, strike
3 all of subsection (3)

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5 On page 20, beginning on line 26 of the striking amendment, after
6 "(a)" strike all material through "(d)" on page 21, line 1

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8 Renumber the remaining subsection consecutively and correct any
9 internal references accordingly.

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11 On page 21, line 17 of the striking amendment, after "valid"
12 strike "authorization cards" and insert "documentation"

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14 On page 21, line 30 of the striking amendment, after "and "
15 strike "authorization card" and insert "valid documentation"

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17 On page 22, line 9 of the striking amendment, after "valid" strike
18 "authorization cards" and insert "documentation"

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20 On page 22, beginning on line 14 of the striking amendment, after
21 "holds" strike "a valid authorization card" and insert "valid
22 documentation"

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24 On page 22, at the beginning of line 23 of the striking amendment,
25 strike ""authorization card"" and insert ""valid documentation""

26
27 On page 23, line 26 of the striking amendment, after
28 "professional" strike "and registered with the medical marijuana
29 registry"

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EFFECT: Eliminates the medical marijuana registry and the associated authorization cards. Applies the exemption from sales and use taxes to persons with valid documentation.

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