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HOUSE BILL 2638

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State of Washington

63rd Legislature

2014 Regular Session

By Representatives Wylie and Pollet

Read first time 01/23/14. Referred to Committee on Government  
Accountability & Oversight.

1 AN ACT Relating to the establishment of state preemption of laws  
2 and ordinances of local governments regarding provisions of the  
3 controlled substances act, chapter 69.50 RCW; and amending RCW  
4 69.50.608.

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

6 **Sec. 1.** RCW 69.50.608 and 1989 c 271 s 601 are each amended to  
7 read as follows:

8 (1) The state of Washington fully occupies and preempts the entire  
9 field of the regulation of controlled substances under this chapter and  
10 setting penalties for violations of the controlled substances act.  
11 This preemption also includes, but is not limited to, statutory  
12 provisions pertaining to licensing, marketing, taxation, production,  
13 processing, and retail sale of marijuana.

14 (2) Cities, towns, and counties or other municipalities may enact  
15 only those laws and ordinances relating to controlled substances that  
16 are consistent with this chapter. Such local ordinances shall have the  
17 same penalties, rules, and requirements as provided for by state law.  
18 Local laws and ordinances that are inconsistent with the requirements  
19 of state law, or that in any way have the effect of interfering with

1 the development, implementation, or maintenance of a state regulated  
2 market regarding the production, processing, possession, or use of  
3 legal marijuana, shall not be enacted and are preempted and  
4 (~~repealed~~) unenforceable, regardless of the nature of the code,  
5 charter, or home rule status of the city, town, county, or  
6 municipality.

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