
HOUSE BILL 1024

State of Washington

64th Legislature

2015 Regular Session

By Representatives Appleton, Reykdal, Robinson, Clibborn, Moeller,
Moscoso, and Farrell

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on Public Safety.

1 AN ACT Relating to reducing the penalty for possession of
2 controlled substances; amending RCW 9.94A.518 and 69.50.4013; and
3 repealing RCW 69.50.4014.

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

5 **Sec. 1.** RCW 9.94A.518 and 2003 c 53 s 57 are each amended to
6 read as follows:

7 TABLE 4

8 DRUG OFFENSES

9 INCLUDED WITHIN EACH

10 SERIOUSNESS LEVEL

11 III Any felony offense under chapter
12 69.50 RCW with a deadly weapon
13 special verdict under RCW
14 ~~((9.94A.602))~~ 9.94A.825
15 Controlled Substance Homicide (RCW
16 69.50.415)

1 Delivery of imitation controlled
2 substance by person eighteen or over to
3 person under eighteen (RCW
4 69.52.030(2))
5 Involving a minor in drug dealing
6 (RCW 69.50.4015)
7 Manufacture of methamphetamine
8 (RCW 69.50.401(2)(b))
9 Over 18 and deliver heroin,
10 methamphetamine, a narcotic from
11 Schedule I or II, or flunitrazepam from
12 Schedule IV to someone under 18
13 (RCW 69.50.406)
14 Over 18 and deliver narcotic from
15 Schedule III, IV, or V or a nonnarcotic,
16 except flunitrazepam or
17 methamphetamine, from Schedule I-V
18 to someone under 18 and 3 years junior
19 (RCW 69.50.406)
20 Possession of Ephedrine,
21 Pseudoephedrine, or Anhydrous
22 Ammonia with intent to manufacture
23 methamphetamine (RCW 69.50.440)
24 Selling for profit (controlled or
25 counterfeit) any controlled substance
26 (RCW 69.50.410)
27 II Create, deliver, or possess a counterfeit
28 controlled substance (RCW
29 69.50.4011)
30 Deliver or possess with intent to
31 deliver methamphetamine (RCW
32 69.50.401(2)(b))
33 Delivery of a material in lieu of a
34 controlled substance (RCW
35 69.50.4012)

1 Maintaining a Dwelling or Place for
2 Controlled Substances (RCW
3 69.50.402(1)(f))
4 Manufacture, deliver, or possess with
5 intent to deliver amphetamine (RCW
6 69.50.401(2)(b))
7 Manufacture, deliver, or possess with
8 intent to deliver narcotics from
9 Schedule I or II or flunitrazepam from
10 Schedule IV (RCW 69.50.401(2)(a))
11 Manufacture, deliver, or possess with
12 intent to deliver narcotics from
13 Schedule III, IV, or V or nonnarcotics
14 from Schedule I-V (except marijuana,
15 amphetamine, methamphetamines, or
16 flunitrazepam) (RCW 69.50.401(2) (c)
17 through (e))
18 Manufacture, distribute, or possess
19 with intent to distribute an imitation
20 controlled substance (RCW
21 69.52.030(1))
22 I Forged Prescription (RCW 69.41.020)
23 Forged Prescription for a Controlled
24 Substance (RCW 69.50.403)
25 Manufacture, deliver, or possess with
26 intent to deliver marijuana (RCW
27 69.50.401(2)(c))
28 ~~((Possess Controlled Substance that is~~
29 ~~a Narcotic from Schedule III, IV, or V~~
30 ~~or Nonnarcotic from Schedule I-V~~
31 ~~(RCW 69.50.4013)~~
32 Possession of Controlled Substance
33 ~~that is either heroin or narcotics from~~
34 ~~Schedule I or II (RCW 69.50.4013)))~~
35 Unlawful Use of Building for Drug
36 Purposes (RCW 69.53.010)

1 **Sec. 2.** RCW 69.50.4013 and 2013 c 3 s 20 are each amended to
2 read as follows:

3 (1) It is unlawful for any person to possess a controlled
4 substance unless the substance was obtained directly from, or
5 pursuant to, a valid prescription or order of a practitioner while
6 acting in the course of his or her professional practice, or except
7 as otherwise authorized by this chapter.

8 (2) (~~Except as provided in RCW 69.50.4014,~~) Any person who
9 violates this section is guilty of a (~~class C felony~~) misdemeanor
10 punishable under chapter 9A.20 RCW.

11 (3) The possession, by a person twenty-one years of age or older,
12 of useable marijuana or marijuana-infused products in amounts that do
13 not exceed those set forth in RCW 69.50.360(3) is not a violation of
14 this section, this chapter, or any other provision of Washington
15 state law.

16 NEW SECTION. **Sec. 3.** RCW 69.50.4014 (Possession of forty grams
17 or less of marihuana—Penalty) and 2003 c 53 s 335 are each repealed.

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