
HOUSE BILL 2196

State of Washington

64th Legislature

2015 Regular Session

By Representatives Blake, Condotta, Moscoso, Appleton, Takko,
Dunshee, Walsh, and Reykdal

Read first time 03/20/15. Referred to Committee on Commerce &
Gaming.

1 AN ACT Relating to authorizing the growing of up to six marijuana
2 plants per domicile; amending RCW 69.50.4013; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the citizens of
6 Washington have clearly stated their position regarding the
7 decriminalization of the use of marijuana for medicinal purposes as
8 well as the casual use of marijuana by adults ages twenty-one and
9 older. The legislature also finds that it is necessary to harmonize
10 the medical use of marijuana law with the fully regulated market
11 established by the passage of Initiative Measure No. 502. The
12 legislature further finds that the harmonization of these laws should
13 be done in a way that provides clarity for all citizens in the state,
14 including patients, health care providers, regulators, and law
15 enforcement personnel, and that the best approach to harmonizing
16 these laws is to reduce the need for creating additional bureaucracy
17 in the regulation of marijuana in Washington. The legislature also
18 finds that establishing bright lines regarding the home production of
19 marijuana will result in fewer violations and more effective
20 enforcement, with the goal of eradicating the illicit marijuana
21 market that poses significant public health and safety risks. The

1 legislature also finds that allowing small scale home production of
2 marijuana for personal use is consistent with the approach other
3 states have taken when legalizing marijuana for adult use, and that
4 this trend is likely to continue expanding across the nation. The
5 legislature further finds that allowing adults ages twenty-one and
6 older to grow their own plants at home will greatly reduce the need
7 for special authorizations and rules for qualifying patients, and
8 will establish more equity between marijuana and home beer brewing
9 and wine making for casual users of marijuana. The legislature,
10 therefore, intends to authorize the home production of marijuana for
11 personal use by adults ages twenty-one and older in order to
12 eliminate the need for multiple regulatory schemes and to remove the
13 incentives driving the illicit marijuana market.

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

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

21 (2) Except as provided in RCW 69.50.4014, any person who violates
22 this section is guilty of a class C felony punishable under chapter
23 9A.20 RCW.

24 (3) ~~((The possession, by a person twenty one years of age or
25 elder, of))~~ It is not a violation of this section, this chapter, or
26 any other provision of Washington state law for a person twenty-one
27 years of age or older to possess useable marijuana, plants, or
28 marijuana-infused products in amounts that do not exceed ((those set
29 forth in RCW 69.50.360(3) is not a violation of this section, this
30 chapter, or any other provision of Washington state law)):

31 (a) One ounce of useable marijuana. If the person grows his or
32 her own plants, the amount not to be exceeded is eight ounces of
33 useable marijuana; or

34 (b) Six plants.

35 (4) No more than one individual may grow plants per domicile or
36 tax parcel.

37 (5) It is not a violation of this section, this chapter, or any
38 other provision of Washington state law for a person to share up to

1 one ounce of useable marijuana with another person; remuneration for
2 the provision of this marijuana is prohibited.

3 (6) For the purposes of this section, "plant" means a marijuana
4 plant having at least three distinguishable and distinct leaves, each
5 leaf being at least three centimeters in diameter, and a readily
6 observable root formation consisting of at least two separate and
7 distinct roots, each being at least two centimeters in length.
8 Multiple stalks emanating from the same root ball or root system is
9 considered part of the same single plant.

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