
HOUSE BILL 2693

State of Washington

64th Legislature

2016 Regular Session

By Representative Blake

Read first time 01/18/16. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to the establishment of a marijuana lounge
2 endorsement to a marijuana retailer's license; amending RCW 69.50.325
3 and 69.50.445; and prescribing penalties.

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

5 **Sec. 1.** RCW 69.50.325 and 2015 c 70 s 5 are each amended to read
6 as follows:

7 (1) There shall be a marijuana producer's license to produce
8 marijuana for sale at wholesale to marijuana processors and other
9 marijuana producers, regulated by the state liquor and cannabis board
10 and subject to annual renewal. The production, possession, delivery,
11 distribution, and sale of marijuana in accordance with the provisions
12 of this chapter and the rules adopted to implement and enforce it, by
13 a validly licensed marijuana producer, shall not be a criminal or
14 civil offense under Washington state law. Every marijuana producer's
15 license shall be issued in the name of the applicant, shall specify
16 the location at which the marijuana producer intends to operate,
17 which must be within the state of Washington, and the holder thereof
18 shall not allow any other person to use the license. The application
19 fee for a marijuana producer's license shall be two hundred fifty
20 dollars. The annual fee for issuance and renewal of a marijuana
21 producer's license shall be one thousand dollars. A separate license

1 shall be required for each location at which a marijuana producer
2 intends to produce marijuana.

3 (2) There shall be a marijuana processor's license to process,
4 package, and label marijuana concentrates, useable marijuana, and
5 marijuana-infused products for sale at wholesale to marijuana
6 processors and marijuana retailers, regulated by the state liquor and
7 cannabis board and subject to annual renewal. The processing,
8 packaging, possession, delivery, distribution, and sale of marijuana,
9 useable marijuana, marijuana-infused products, and marijuana
10 concentrates in accordance with the provisions of this chapter and
11 chapter 69.51A RCW and the rules adopted to implement and enforce
12 these chapters, by a validly licensed marijuana processor, shall not
13 be a criminal or civil offense under Washington state law. Every
14 marijuana processor's license shall be issued in the name of the
15 applicant, shall specify the location at which the licensee intends
16 to operate, which must be within the state of Washington, and the
17 holder thereof shall not allow any other person to use the license.
18 The application fee for a marijuana processor's license shall be two
19 hundred fifty dollars. The annual fee for issuance and renewal of a
20 marijuana processor's license shall be one thousand dollars. A
21 separate license shall be required for each location at which a
22 marijuana processor intends to process marijuana.

23 (3) There shall be a marijuana retailer's license to sell
24 marijuana concentrates, useable marijuana, and marijuana-infused
25 products at retail in retail outlets, regulated by the state liquor
26 and cannabis board and subject to annual renewal. The possession,
27 delivery, distribution, and sale of marijuana concentrates, useable
28 marijuana, and marijuana-infused products in accordance with the
29 provisions of this chapter and the rules adopted to implement and
30 enforce it, by a validly licensed marijuana retailer, shall not be a
31 criminal or civil offense under Washington state law. Every marijuana
32 retailer's license shall be issued in the name of the applicant,
33 shall specify the location of the retail outlet the licensee intends
34 to operate, which must be within the state of Washington, and the
35 holder thereof shall not allow any other person to use the license.
36 The application fee for a marijuana retailer's license shall be two
37 hundred fifty dollars. The annual fee for issuance and renewal of a
38 marijuana retailer's license shall be one thousand dollars. A
39 separate license shall be required for each location at which a

1 marijuana retailer intends to sell marijuana concentrates, useable
2 marijuana, and marijuana-infused products.

3 (4)(a) There shall be a marijuana lounge endorsement to a
4 marijuana retailer's license that allows an endorsement holder to
5 operate a marijuana lounge in which adults age twenty-one and older
6 may lawfully consume useable marijuana, marijuana-infused products,
7 and marijuana concentrates purchased from the retailer holding the
8 endorsement. The endorsement is subject to annual renewal. The
9 endorsement holder is responsible for ensuring that all marijuana
10 product sales and use are fully compliant with the requirements of
11 this chapter and applicable administrative rules.

12 (b) An applicant may apply for a marijuana lounge endorsement
13 concurrently with an application for a marijuana retailer's license.

14 (c) The application fee for a marijuana lounge endorsement shall
15 be two hundred fifty dollars. The annual fee for issuance and renewal
16 of the endorsement is one thousand dollars.

17 (d) For the purposes of this subsection (4), "marijuana lounge"
18 means an area, room, or structure within or directly attached to, the
19 premises of a licensed marijuana retailer, sharing common points of
20 entry and exit with the retail premises, and which meets the
21 following requirements:

22 (i) There must be a complete structural separation between the
23 lounge area and areas within the licensed premises in which retail
24 sales occur by walls, doors, or other structures of sufficient size
25 and design to create a distinct, unbroken barrier between areas
26 intended for retail sales and areas intended for the use of the
27 marijuana products purchased from the retailer holding the
28 endorsement;

29 (ii) The design of the structures or barriers separating the
30 marijuana lounge from the retail sales area and the ventilation
31 system serving the licensed premises must be sufficient to ensure
32 that smoke, vapors, residues, aerosolized particles, or other
33 emissions resulting from the consumption of marijuana products in the
34 lounge are not inhaled or ingested by persons within the area
35 reserved for retail sales; and

36 (iii) The location and structural design of the lounge must
37 ensure that the use of marijuana products within the lounge are not
38 within view of the general public outside of the licensed premises.

39 (e) A licensed marijuana lounge that is constructed and operated
40 consistent with this subsection (4) is exempt from RCW 69.50.445.

1 (f) The board is granted the rule-making authority necessary to
2 implement the provisions of this subsection (4).

3 **Sec. 2.** RCW 69.50.445 and 2015 2nd sp.s. c 4 s 401 are each
4 amended to read as follows:

5 (1) It is unlawful to open a package containing marijuana,
6 useable marijuana, marijuana-infused products, or marijuana
7 concentrates, or consume marijuana, useable marijuana, marijuana-
8 infused products, or marijuana concentrates, in view of the general
9 public or in a public place.

10 (2) For the purposes of this section, "public place" has the same
11 meaning as defined in RCW 66.04.010, but the exclusions in RCW
12 66.04.011 do not apply.

13 (3) A person who violates this section is guilty of a class 3
14 civil infraction under chapter 7.80 RCW.

15 (4) This section does not apply to the use or handling of useable
16 marijuana, marijuana-infused products, or marijuana concentrates on
17 the premises of a retail licensee with a marijuana lounge endorsement
18 under RCW 69.50.325(4).

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