
Commerce & Gaming Committee

HB 1920

Brief Description: Concerning inspections of licensed marijuana processors' equipment and facilities.

Sponsors: Representatives Condotta, Sawyer, Blake, Young and Appleton.

Brief Summary of Bill

- Establishes that the Director of Fire Protection, or other entities, may perform certain inspections or approvals of licensed marijuana processors' equipment and facilities required under Liquor and Cannabis Board rule when the local fire code official does not perform the inspection or approval.
- Requires the local government in which a marijuana processor is located to reimburse the Director of Fire Protection or other entity for the costs of the inspection or approval in certain circumstances.

Hearing Date: 2/7/17

Staff: Peter Clodfelter (786-7127).

Background:

Inspections of Marijuana Processors' Equipment and Facilities.

State law provides that no person other than a marijuana processor licensed by the Liquor and Cannabis Board (LCB) may use butane or other explosive gases to extract resin from marijuana or to produce or process any form of marijuana concentrates or marijuana-infused products that include marijuana concentrates not purchased from a validly licensed marijuana retailer as an ingredient. However, cooking oil, butter, and other nonexplosive home cooking substances may be used to make marijuana extracts for noncommercial personal use.

Pursuant to legislative directive, the LCB adopted rules establishing that marijuana processors are limited to certain methods, equipment, solvents, gases and mediums when creating marijuana extracts. The LCB's rules provide that marijuana processors may use a professional grade closed

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loop CO2 gas extraction system meeting certain standards if such extraction systems are commercially manufactured, bear a permanently affixed and visible serial number, and are certified by a professional engineer. Additionally, the LCB's rules require that professional closed loop systems, other equipment, the extraction operation, and facilities must be approved for their use by the local fire code official and meet any required fire, safety, and building code requirements.

Director of Fire Protection.

The Chief of the Washington State Patrol appoints an officer who is known as the Director of Fire Protection. Wherever the term State Fire Marshal is used in law it means the Director of Fire Protection. The Office of the Director of Fire Protection is organized as a Bureau within the Washington State Patrol. The Director of Fire Protection is charged with providing training, certification, and coordination duties related to protecting life, property, and the environment from fire. Additional duties include performing inspections of nursing home facilities, boarding homes, hospitals, and childcare centers to ensure compliance with required safety standards and fire regulations. The Director of Fire Protection may designate deputies and may delegate to those deputies the Director of Fire Protection's duties and authorities as deemed appropriate.

Summary of Bill:

Any inspection of or approval of a marijuana processor's professional closed loop systems, equipment, extraction operation, or facilities to ensure compliance with applicable fire, safety, or building code requirements that must be performed by a local fire code official pursuant to state Liquor and Cannabis Board (LCB) rule may, instead, be performed by the Director of Fire Protection, the Director of Fire Protection's designee, or by an accredited commercial electrical inspector, if the marijuana processor requests that the local fire code official perform the inspection or approval and 30 calendar days after the date of the request the local fire code official has not performed the inspection or approval.

The county, city, or town in which a marijuana processor is located must reimburse the Director of Fire Protection, the Director of Fire Protection's Designee, or the accredited commercial electrical inspector, as applicable, if the local fire code official does not perform the required inspection or approval within 30 days of a request and the inspection or approval is instead performed by the Director of Fire Protection, the Director of Fire Protection's Designee, or the accredited commercial electrical inspector. The reimbursement by the county, city, or town must be made within 30 days of a request for reimbursement.

It is provided that the act does not require a local fire code official, the Director of Fire Protection, the Director of Fire Protection's Designee, or an accredited commercial electrical inspector to approve of a marijuana processor's professional closed loop systems, equipment, extraction operation, or facilities if the systems, equipment, operation, or facilities is not in compliance with applicable fire, safety, or building code requirements.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.