

SENATE BILL REPORT

SHB 2021

As of March 22, 2017

Title: An act relating to authorizing the sale of marijuana plants and seeds to qualifying patients and designated providers.

Brief Description: Authorizing the sale of marijuana plants and seeds to qualifying patients and designated providers.

Sponsors: House Committee on Commerce & Gaming (originally sponsored by Representatives Farrell and Macri).

Brief History: Passed House: 3/07/17, 88-9.

Committee Activity: Health Care: 3/21/17.

Brief Summary of Bill

- Permits qualifying patients and their designated providers to purchase immature marijuana plants and marijuana seeds at retail from licensed marijuana producers.

SENATE COMMITTEE ON HEALTH CARE

Staff: Kathleen Buchli (786-7488)

Background: Patients who qualify for the medical use of marijuana are those people who have been diagnosed by a health care professional as having a terminal or debilitating medical condition such as cancer, intractable pain, or hepatitis C. Qualifying patients must be authorized by a health care professional for the medical use of marijuana on an authorization form designed by the Department of Health (DOH). Qualifying patients may designate an adult to act as that patient's designated provider. The designated provider must also be authorized as such by the health care professional on the DOH-designed authorization form. Qualifying patients and designated providers with an authorization form may grow, for the personal medical use of the qualifying patient, up to four marijuana plants at their residence and possess up to six ounces of useable marijuana produced by those plants.

Qualifying patients or their designated providers who wish to grow more than four marijuana plants for their medical use must register with the Medical Marijuana Authorization Database

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(Database). Upon registering, patients and providers are provided a recognition card. Qualifying patients and designated providers with recognition cards may grow, for the personal medical use of the qualifying patient, up to fifteen marijuana plants at their residence and possess up to 16 ounces of useable marijuana produced by those plants.

Qualifying patients and designated providers with recognition cards may also participate in cooperatives and share responsibility for acquiring and supplying the resources needed to produce and process marijuana for the medical use of members of the cooperative.

Plants grown at the cooperative must be purchased or cloned from a plant purchased from a licensed marijuana producer. There is no provision in code for the purchase of plants by qualifying patients or designated providers who do not participate in a cooperative.

Summary of Bill: The marijuana producer license is modified to authorize the production of immature marijuana plants and marijuana seeds for sale at retail at the premises of the marijuana producer, to qualifying patients age 18 and over and designated providers with a valid authorization or recognition card. Marijuana producers may also sell seeds to marijuana cooperatives.

The Liquor and Cannabis Board must adopt rules authorizing marijuana producers to produce, process, package, label, and sell immature plants and marijuana seeds at retail, at the premises of the marijuana producer, to qualifying patients and designated providers with a valid authorization or valid recognition card. The LCB is granted rule-making authority to adopt any rule that is necessary and appropriate to provide for an effective process for qualifying patients age 18 and over and designated providers with a valid authorization or recognition card to purchase immature plants and marijuana seeds from marijuana producers at retail, at the premises of the marijuana producer.

An immature marijuana plant is defined as a plant or clone of a plant that has no flowers, is less than 12 inches in height, and is less than 12 inches in diameter.

A minor under age 18 with a valid authorization for the medical use of marijuana is prohibited from purchasing immature marijuana plants or seeds from a marijuana producer.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This issue should be addressed and it is understood that there are concerns about whether it should be limited to the recognition cards and the registry. Currently, patients cannot buy plants or seeds and they need access to certain genetic strains that may not be available in the stores. Hundreds of children are wrongfully addicted to opiates and this would help them by getting them off those addictive drugs. Patients need legal access to the plant strains they need. This is very important for

new patients. We object to having to be in the registry. The federal law is not clear and the names of patients should not be on lists because they can be targeted.

Persons Testifying: PRO: Representative Jessyn Farrell, Prime Sponsor; Meagan Holt, Maddie's Mom, Project PC, Viper PAC; John Novak, VIPER PAC / Co-Director.

Persons Signed In To Testify But Not Testifying: No one.