

SSB 5318 - S AMD 160
By Senator Walsh

PULLED 03/11/2019

1 On page 14, after line 11, insert the following:

2 "Sec. 9. RCW 69.50.4013 and 2017 c 317 s 15 are each amended to
3 read as follows:

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

9 (2) Except as provided in RCW 69.50.4014, any person who violates
10 this section is guilty of a class C felony punishable under chapter
11 9A.20 RCW.

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

17 (b) The possession of marijuana, useable marijuana, marijuana
18 concentrates, and marijuana-infused products being physically
19 transported or delivered within the state, in amounts not exceeding
20 those that may be established under RCW 69.50.385(3), by a licensed
21 employee of a common carrier when performing the duties authorized in
22 accordance with RCW 69.50.382 and 69.50.385, is not a violation of
23 this section, this chapter, or any other provision of Washington
24 state law.

25 (4)(a) The delivery by a person twenty-one years of age or older
26 to one or more persons twenty-one years of age or older, during a
27 single twenty-four hour period, for noncommercial purposes and not
28 conditioned upon or done in connection with the provision or receipt
29 of financial consideration, of any of the following marijuana
30 products, is not a violation of this section, this chapter, or any
31 other provisions of Washington state law:

32 (i) One-half ounce of useable marijuana;

- 1 (ii) Eight ounces of marijuana-infused product in solid form;
2 (iii) Thirty-six ounces of marijuana-infused product in liquid
3 form; or
4 (iv) Three and one-half grams of marijuana concentrates.

5 (b) The act of delivering marijuana or a marijuana product as
6 authorized under this subsection (4) must meet one of the following
7 requirements:

8 (i) The delivery must be done in a location outside of the view
9 of general public and in a nonpublic place; or

10 (ii) The marijuana or marijuana product must be in the original
11 packaging as purchased from the marijuana retailer.

12 (5) No person under twenty-one years of age may possess,
13 manufacture, sell, or distribute marijuana, marijuana-infused
14 products, or marijuana concentrates, regardless of THC concentration.
15 This does not include qualifying patients with a valid authorization.

16 (6) The possession by a qualifying patient or designated provider
17 of marijuana concentrates, useable marijuana, marijuana-infused
18 products, or plants in accordance with chapter 69.51A RCW is not a
19 violation of this section, this chapter, or any other provision of
20 Washington state law.

21 (7)(a) It is not a violation of this section, this chapter, or
22 any other provision of Washington state law for a person twenty-one
23 years of age or older to produce or possess no more than six plants
24 on the premises of the housing unit occupied by the person, provided
25 the person complies with the requirements of this subsection.

26 (b) It is not a violation of this section, this chapter, or any
27 other provision of Washington state law for a person twenty-one years
28 of age or older to produce or possess marijuana, including all stalks
29 and roots, produced from no more than six plants grown by the person
30 on the premises of the housing unit occupied by the person, subject
31 to the limitations provided in (c) of this subsection, if the person
32 complies with the requirements of this subsection.

33 (c) The quantity of marijuana and marijuana products a person may
34 produce or possess under this subsection is subject to the following
35 limits:

36 (i) A person may possess useable marijuana in an amount not to
37 exceed what is produced by the person's plants in addition to useable
38 marijuana obtained in the manner and according to the limits
39 specified in RCW 69.50.360(3). However, a person may not possess
40 marijuana capable of being processed into useable marijuana,

1 marijuana-infused products, or marijuana concentrates, unless the
2 person possesses fewer than sixteen ounces of useable marijuana,
3 irrespective of source;

4 (ii) A person may not produce or possess a total of more than
5 sixteen ounces of marijuana-infused products in solid form,
6 irrespective of source;

7 (iii) A person may not produce or possess a total of more than
8 seventy-two ounces of marijuana-infused products in liquid form,
9 irrespective of source; and

10 (iv) A person may not produce or possess a total of more than
11 seven grams of marijuana concentrates, irrespective of source.

12 (d) No more than fifteen plants may be grown at any one time on
13 the premises of a single housing unit, regardless of the number of
14 residents living on the premises of the housing unit.

15 (e) All plants grown under this subsection must be clearly marked
16 with the name, residential address, and date of birth of the person
17 growing the plants, and the date on which the plants were planted.

18 (f) All marijuana capable of being processed into useable
19 marijuana, marijuana-infused products, or marijuana concentrate must
20 be clearly marked with the name, date of birth, and residential
21 address of the person who grew the plants from which the marijuana is
22 derived, the date on which the plants were planted, and the date on
23 which the plants were harvested.

24 (g) All containers containing more than one ounce of useable
25 marijuana must be clearly marked with the name, date of birth,
26 residential address of the person who grew the plants from which the
27 useable marijuana is derived, the date on which the plants were
28 planted, and the date on which the plants were harvested. Any
29 containers containing one ounce or less of useable marijuana are not
30 required to be labeled.

31 (h) Any extraction or separation of resin from marijuana and any
32 production or processing of any form of marijuana concentrates or
33 marijuana-infused products must be performed in accordance with rules
34 adopted under RCW 69.51A.270.

35 (i) This subsection (7) does not apply to plants or useable
36 marijuana possessed or delivered other than on the premises of the
37 housing unit at which the plants were grown.

38 (j) Nothing in this subsection (7) prevents or restricts a
39 property owner from prohibiting the cultivation of plants by a renter

1 or lessee upon or within the property under the terms of a rental
2 agreement, lease, or other contract.

3 (k) The production, possession, delivery, and acquisition of
4 plants or marijuana capable of being processed into useable
5 marijuana, marijuana-infused products, or marijuana concentrate, and
6 useable marijuana under this subsection (7) may not form the basis of
7 a seizure or forfeiture action pursuant to RCW 69.50.505.

8 (l) A person twenty-one years of age or older who possesses
9 marijuana in compliance with this subsection (7) is considered an
10 ultimate user who may not sell marijuana, useable marijuana,
11 marijuana concentrate, or marijuana-infused products produced from
12 the person's plants, and is not required to obtain a registration
13 under RCW 69.50.302 or a license under RCW 69.50.325.

14 (m) For purposes of this subsection (7), "housing unit" has the
15 meaning provided in RCW 69.51A.010.

16 **Sec. 10.** RCW 69.50.505 and 2013 c 3 s 25 are each amended to
17 read as follows:

18 (1) The following are subject to seizure and forfeiture and no
19 property right exists in them:

20 (a) All controlled substances which have been manufactured,
21 distributed, dispensed, acquired, or possessed in violation of this
22 chapter or chapter 69.41 or 69.52 RCW, and all hazardous chemicals,
23 as defined in RCW 64.44.010, used or intended to be used in the
24 manufacture of controlled substances;

25 (b) All raw materials, products, and equipment of any kind which
26 are used, or intended for use, in manufacturing, compounding,
27 processing, delivering, importing, or exporting any controlled
28 substance in violation of this chapter or chapter 69.41 or 69.52 RCW;

29 (c) All property which is used, or intended for use, as a
30 container for property described in (a) or (b) of this subsection;

31 (d) All conveyances, including aircraft, vehicles, or vessels,
32 which are used, or intended for use, in any manner to facilitate the
33 sale, delivery, or receipt of property described in (a) or (b) of
34 this subsection, except that:

35 (i) No conveyance used by any person as a common carrier in the
36 transaction of business as a common carrier is subject to forfeiture
37 under this section unless it appears that the owner or other person
38 in charge of the conveyance is a consenting party or privy to a
39 violation of this chapter or chapter 69.41 or 69.52 RCW;

1 (ii) No conveyance is subject to forfeiture under this section by
2 reason of any act or omission established by the owner thereof to
3 have been committed or omitted without the owner's knowledge or
4 consent;

5 (iii) No conveyance is subject to forfeiture under this section
6 if used in the receipt of only an amount of marijuana for which
7 possession constitutes a misdemeanor under RCW 69.50.4014;

8 (iv) A forfeiture of a conveyance encumbered by a bona fide
9 security interest is subject to the interest of the secured party if
10 the secured party neither had knowledge of nor consented to the act
11 or omission; and

12 (v) When the owner of a conveyance has been arrested under this
13 chapter or chapter 69.41 or 69.52 RCW the conveyance in which the
14 person is arrested may not be subject to forfeiture unless it is
15 seized or process is issued for its seizure within ten days of the
16 owner's arrest;

17 (e) All books, records, and research products and materials,
18 including formulas, microfilm, tapes, and data which are used, or
19 intended for use, in violation of this chapter or chapter 69.41 or
20 69.52 RCW;

21 (f) All drug paraphernalia(~~21~~) other than paraphernalia
22 possessed, sold, or used solely to facilitate marijuana-related
23 activities that are not violations of this chapter;

24 (g) All moneys, negotiable instruments, securities, or other
25 tangible or intangible property of value furnished or intended to be
26 furnished by any person in exchange for a controlled substance in
27 violation of this chapter or chapter 69.41 or 69.52 RCW, all tangible
28 or intangible personal property, proceeds, or assets acquired in
29 whole or in part with proceeds traceable to an exchange or series of
30 exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW,
31 and all moneys, negotiable instruments, and securities used or
32 intended to be used to facilitate any violation of this chapter or
33 chapter 69.41 or 69.52 RCW. A forfeiture of money, negotiable
34 instruments, securities, or other tangible or intangible property
35 encumbered by a bona fide security interest is subject to the
36 interest of the secured party if, at the time the security interest
37 was created, the secured party neither had knowledge of nor consented
38 to the act or omission. No personal property may be forfeited under
39 this subsection (1)(g), to the extent of the interest of an owner, by

1 reason of any act or omission which that owner establishes was
2 committed or omitted without the owner's knowledge or consent; and

3 (h) All real property, including any right, title, and interest
4 in the whole of any lot or tract of land, and any appurtenances or
5 improvements which are being used with the knowledge of the owner for
6 the manufacturing, compounding, processing, delivery, importing, or
7 exporting of any controlled substance, or which have been acquired in
8 whole or in part with proceeds traceable to an exchange or series of
9 exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW,
10 if such activity is not less than a class C felony and a substantial
11 nexus exists between the commercial production or sale of the
12 controlled substance and the real property. However:

13 (i) No property may be forfeited pursuant to this subsection
14 (1)(h), to the extent of the interest of an owner, by reason of any
15 act or omission committed or omitted without the owner's knowledge or
16 consent;

17 (ii) The bona fide gift of a controlled substance, legend drug,
18 or imitation controlled substance shall not result in the forfeiture
19 of real property;

20 (iii) The acquisition, delivery, production, or possession of
21 marijuana, useable marijuana, marijuana concentrates, or marijuana-
22 infused products, including in the manner and in the amount provided
23 in RCW 69.50.4013(7), shall not result in the forfeiture of real
24 property unless the marijuana is possessed for commercial purposes
25 that are unlawful under Washington state law, the amount possessed is
26 five or more plants or one pound or more of marijuana except as
27 provided in RCW 69.50.4013, and a substantial nexus exists between
28 the possession of marijuana and the real property. In such a case,
29 the intent of the offender shall be determined by the preponderance
30 of the evidence, including the offender's prior criminal history, the
31 amount of marijuana possessed by the offender, the sophistication of
32 the activity or equipment used by the offender, whether the offender
33 was licensed to produce, process, or sell marijuana, or was an
34 employee of a licensed producer, processor, or retailer, and other
35 evidence which demonstrates the offender's intent to engage in
36 unlawful commercial activity;

37 (iv) The unlawful sale of marijuana or a legend drug shall not
38 result in the forfeiture of real property unless the sale was forty
39 grams or more in the case of marijuana or one hundred dollars or more

1 in the case of a legend drug, and a substantial nexus exists between
2 the unlawful sale and the real property; and

3 (v) A forfeiture of real property encumbered by a bona fide
4 security interest is subject to the interest of the secured party if
5 the secured party, at the time the security interest was created,
6 neither had knowledge of nor consented to the act or omission.

7 (2) Real or personal property subject to forfeiture under this
8 chapter may be seized by any (~~board~~) commission inspector or law
9 enforcement officer of this state upon process issued by any superior
10 court having jurisdiction over the property. Seizure of real property
11 shall include the filing of a lis pendens by the seizing agency. Real
12 property seized under this section shall not be transferred or
13 otherwise conveyed until ninety days after seizure or until a
14 judgment of forfeiture is entered, whichever is later(~~(:—PROVIDED,~~
15 ~~That)~~). However, real property seized under this section may be
16 transferred or conveyed to any person or entity who acquires title by
17 foreclosure or deed in lieu of foreclosure of a security interest.
18 Seizure of personal property without process may be made if:

19 (a) The seizure is incident to an arrest or a search under a
20 search warrant or an inspection under an administrative inspection
21 warrant;

22 (b) The property subject to seizure has been the subject of a
23 prior judgment in favor of the state in a criminal injunction or
24 forfeiture proceeding based upon this chapter;

25 (c) A (~~board~~) commission inspector or law enforcement officer
26 has probable cause to believe that the property is directly or
27 indirectly dangerous to health or safety; or

28 (d) The (~~board~~) commission inspector or law enforcement officer
29 has probable cause to believe that the property was used or is
30 intended to be used in violation of this chapter.

31 (3) In the event of seizure pursuant to subsection (2) of this
32 section, proceedings for forfeiture shall be deemed commenced by the
33 seizure. The law enforcement agency under whose authority the seizure
34 was made shall cause notice to be served within fifteen days
35 following the seizure on the owner of the property seized and the
36 person in charge thereof and any person having any known right or
37 interest therein, including any community property interest, of the
38 seizure and intended forfeiture of the seized property. Service of
39 notice of seizure of real property shall be made according to the
40 rules of civil procedure. However, the state may not obtain a default

1 judgment with respect to real property against a party who is served
2 by substituted service absent an affidavit stating that a good faith
3 effort has been made to ascertain if the defaulted party is
4 incarcerated within the state, and that there is no present basis to
5 believe that the party is incarcerated within the state. Notice of
6 seizure in the case of property subject to a security interest that
7 has been perfected by filing a financing statement in accordance with
8 chapter 62A.9A RCW, or a certificate of title, shall be made by
9 service upon the secured party or the secured party's assignee at the
10 address shown on the financing statement or the certificate of title.
11 The notice of seizure in other cases may be served by any method
12 authorized by law or court rule including but not limited to service
13 by certified mail with return receipt requested. Service by mail
14 shall be deemed complete upon mailing within the fifteen day period
15 following the seizure.

16 (4) If no person notifies the seizing law enforcement agency in
17 writing of the person's claim of ownership or right to possession of
18 items specified in subsection (1)(d), (g), or (h) of this section
19 within forty-five days of the service of notice from the seizing
20 agency in the case of personal property and ninety days in the case
21 of real property, the item seized shall be deemed forfeited. The
22 community property interest in real property of a person whose spouse
23 or domestic partner committed a violation giving rise to seizure of
24 the real property may not be forfeited if the person did not
25 participate in the violation.

26 (5) If any person notifies the seizing law enforcement agency in
27 writing of the person's claim of ownership or right to possession of
28 items specified in subsection (1)(b), (c), (d), (e), (f), (g), or (h)
29 of this section within forty-five days of the service of notice from
30 the seizing agency in the case of personal property and ninety days
31 in the case of real property, the person or persons shall be afforded
32 a reasonable opportunity to be heard as to the claim or right. The
33 notice of claim may be served by any method authorized by law or
34 court rule including, but not limited to, service by first-class
35 mail. Service by mail shall be deemed complete upon mailing within
36 the forty-five day period following service of the notice of seizure
37 in the case of personal property and within the ninety-day period
38 following service of the notice of seizure in the case of real
39 property. The hearing shall be before the chief law enforcement
40 officer of the seizing agency or the chief law enforcement officer's

1 designee, except where the seizing agency is a state agency as
2 defined in RCW 34.12.020(4), the hearing shall be before the chief
3 law enforcement officer of the seizing agency or an administrative
4 law judge appointed under chapter 34.12 RCW, except that any person
5 asserting a claim or right may remove the matter to a court of
6 competent jurisdiction. Removal of any matter involving personal
7 property may only be accomplished according to the rules of civil
8 procedure. The person seeking removal of the matter must serve
9 process against the state, county, political subdivision, or
10 municipality that operates the seizing agency, and any other party of
11 interest, in accordance with RCW 4.28.080 or 4.92.020, within forty-
12 five days after the person seeking removal has notified the seizing
13 law enforcement agency of the person's claim of ownership or right to
14 possession. The court to which the matter is to be removed shall be
15 the district court when the aggregate value of personal property is
16 within the jurisdictional limit set forth in RCW 3.66.020. A hearing
17 before the seizing agency and any appeal therefrom shall be under
18 Title 34 RCW. In all cases, the burden of proof is upon the law
19 enforcement agency to establish, by a preponderance of the evidence,
20 that the property is subject to forfeiture.

21 The seizing law enforcement agency shall promptly return the
22 article or articles to the claimant upon a determination by the
23 administrative law judge or court that the claimant is the present
24 lawful owner or is lawfully entitled to possession thereof of items
25 specified in subsection (1)(b), (c), (d), (e), (f), (g), or (h) of
26 this section.

27 (6) In any proceeding to forfeit property under this title, where
28 the claimant substantially prevails, the claimant is entitled to
29 reasonable attorneys' fees reasonably incurred by the claimant. In
30 addition, in a court hearing between two or more claimants to the
31 article or articles involved, the prevailing party is entitled to a
32 judgment for costs and reasonable attorneys' fees.

33 (7) When property is forfeited under this chapter the (~~board~~)
34 commission or seizing law enforcement agency may:

35 (a) Retain it for official use or upon application by any law
36 enforcement agency of this state release such property to such agency
37 for the exclusive use of enforcing the provisions of this chapter;

38 (b) Sell that which is not required to be destroyed by law and
39 which is not harmful to the public;

1 (c) Request the appropriate sheriff or director of public safety
2 to take custody of the property and remove it for disposition in
3 accordance with law; or

4 (d) Forward it to the drug enforcement administration for
5 disposition.

6 (8) (a) When property is forfeited, the seizing agency shall keep
7 a record indicating the identity of the prior owner, if known, a
8 description of the property, the disposition of the property, the
9 value of the property at the time of seizure, and the amount of
10 proceeds realized from disposition of the property.

11 (b) Each seizing agency shall retain records of forfeited
12 property for at least seven years.

13 (c) Each seizing agency shall file a report including a copy of
14 the records of forfeited property with the state treasurer each
15 calendar quarter.

16 (d) The quarterly report need not include a record of forfeited
17 property that is still being held for use as evidence during the
18 investigation or prosecution of a case or during the appeal from a
19 conviction.

20 (9) (a) By January 31st of each year, each seizing agency shall
21 remit to the state treasurer an amount equal to ten percent of the
22 net proceeds of any property forfeited during the preceding calendar
23 year. Money remitted shall be deposited in the state general fund.

24 (b) The net proceeds of forfeited property is the value of the
25 forfeitable interest in the property after deducting the cost of
26 satisfying any bona fide security interest to which the property is
27 subject at the time of seizure; and in the case of sold property,
28 after deducting the cost of sale, including reasonable fees or
29 commissions paid to independent selling agents, and the cost of any
30 valid landlord's claim for damages under subsection (15) of this
31 section.

32 (c) The value of sold forfeited property is the sale price. The
33 value of retained forfeited property is the fair market value of the
34 property at the time of seizure, determined when possible by
35 reference to an applicable commonly used index, such as the index
36 used by the department of licensing for valuation of motor vehicles.
37 A seizing agency may use, but need not use, an independent qualified
38 appraiser to determine the value of retained property. If an
39 appraiser is used, the value of the property appraised is net of the

1 cost of the appraisal. The value of destroyed property and retained
2 firearms or illegal property is zero.

3 (10) Forfeited property and net proceeds not required to be paid
4 to the state treasurer shall be retained by the seizing law
5 enforcement agency exclusively for the expansion and improvement of
6 controlled substances related law enforcement activity. Money
7 retained under this section may not be used to supplant preexisting
8 funding sources.

9 (11) Controlled substances listed in Schedule I, II, III, IV, and
10 V that are possessed, transferred, sold, or offered for sale in
11 violation of this chapter are contraband and shall be seized and
12 summarily forfeited to the state. Controlled substances listed in
13 Schedule I, II, III, IV, and V, which are seized or come into the
14 possession of the ((board)) commission, the owners of which are
15 unknown, are contraband and shall be summarily forfeited to the
16 ((board)) commission.

17 (12) Species of plants from which controlled substances in
18 Schedules I and II may be derived which have been planted or
19 cultivated in violation of this chapter, or of which the owners or
20 cultivators are unknown, or which are wild growths, may be seized and
21 summarily forfeited to the ((board)) commission.

22 (13) The failure, upon demand by a ((board)) commission inspector
23 or law enforcement officer, of the person in occupancy or in control
24 of land or premises upon which the species of plants are growing or
25 being stored to produce an appropriate registration or proof that he
26 or she is the holder thereof constitutes authority for the seizure
27 and forfeiture of the plants.

28 (14) Upon the entry of an order of forfeiture of real property,
29 the court shall forward a copy of the order to the assessor of the
30 county in which the property is located. Orders for the forfeiture of
31 real property shall be entered by the superior court, subject to
32 court rules. Such an order shall be filed by the seizing agency in
33 the county auditor's records in the county in which the real property
34 is located.

35 (15)(a) A landlord may assert a claim against proceeds from the
36 sale of assets seized and forfeited under subsection (7)(b) of this
37 section, only if:

38 (i) A law enforcement officer, while acting in his or her
39 official capacity, directly caused damage to the complaining

1 landlord's property while executing a search of a tenant's residence;
2 and

3 (ii) The landlord has applied any funds remaining in the tenant's
4 deposit, to which the landlord has a right under chapter 59.18 RCW,
5 to cover the damage directly caused by a law enforcement officer
6 prior to asserting a claim under the provisions of this section;

7 (A) Only if the funds applied under (a)(ii) of this subsection
8 are insufficient to satisfy the damage directly caused by a law
9 enforcement officer, may the landlord seek compensation for the
10 damage by filing a claim against the governmental entity under whose
11 authority the law enforcement agency operates within thirty days
12 after the search;

13 (B) Only if the governmental entity denies or fails to respond to
14 the landlord's claim within sixty days of the date of filing, may the
15 landlord collect damages under this subsection by filing within
16 thirty days of denial or the expiration of the sixty-day period,
17 whichever occurs first, a claim with the seizing law enforcement
18 agency. The seizing law enforcement agency must notify the landlord
19 of the status of the claim by the end of the thirty-day period.
20 Nothing in this section requires the claim to be paid by the end of
21 the sixty-day or thirty-day period.

22 (b) For any claim filed under (a)(ii) of this subsection, the law
23 enforcement agency shall pay the claim unless the agency provides
24 substantial proof that the landlord either:

25 (i) Knew or consented to actions of the tenant in violation of
26 this chapter or chapter 69.41 or 69.52 RCW; or

27 (ii) Failed to respond to a notification of the illegal activity,
28 provided by a law enforcement agency under RCW 59.18.075, within
29 seven days of receipt of notification of the illegal activity.

30 (16) The landlord's claim for damages under subsection (15) of
31 this section may not include a claim for loss of business and is
32 limited to:

33 (a) Damage to tangible property and clean-up costs;

34 (b) The lesser of the cost of repair or fair market value of the
35 damage directly caused by a law enforcement officer;

36 (c) The proceeds from the sale of the specific tenant's property
37 seized and forfeited under subsection (7)(b) of this section; and

38 (d) The proceeds available after the seizing law enforcement
39 agency satisfies any bona fide security interest in the tenant's

1 property and costs related to sale of the tenant's property as
2 provided by subsection (9)(b) of this section.

3 (17) Subsections (15) and (16) of this section do not limit any
4 other rights a landlord may have against a tenant to collect for
5 damages. However, if a law enforcement agency satisfies a landlord's
6 claim under subsection (15) of this section, the rights the landlord
7 has against the tenant for damages directly caused by a law
8 enforcement officer under the terms of the landlord and tenant's
9 contract are subrogated to the law enforcement agency.

10 NEW SECTION. **Sec. 11.** If any provision of this act or its
11 application to any person or circumstance is held invalid, the
12 remainder of the act or the application of the provision to other
13 persons or circumstances is not affected."

14 Renumber the remaining section consecutively and correct any
15 internal references accordingly.

16 On page 21, after line 12, insert the following:

17 "~~(xx)~~ "Commercial activity" means an activity related to or
18 connected with buying, selling, or bartering."

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By Senator Walsh

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19 On page 1, line 2 of the title, after "69.50.342" strike "and
20 69.50.331" and insert ", 69.50.331, 69.50.4013, and 69.50.505"

EFFECT: Authorizes a person to grow up to 6 marijuana plants on
the premises of their housing unit. A single housing unit may not
have more than 15 plants. Sets new limits for the possession of
useable marijuana. Requires that all plants and products must be
labeled and identify the owner. Allows a property owner to prohibit
cultivating plants by a renter or lessee. Protects marijuana and
marijuana products, and the property on which they were produced or
possessed under the new authorization, from seizure and forfeiture.
Adds a definition of commercial activity. Includes a savings clause.

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