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**SENATE BILL 6057**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senators Stanford, Rivers, Wilson, C., Conway, King, and Nguyen

Prefiled 12/09/19. Read first time 01/13/20. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to price differentials in the sale of marijuana;  
2 amending RCW 69.50.380; and adding a new section to chapter 69.50  
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 69.50  
6 RCW to read as follows:

7 (1) A person licensed under this chapter may not discriminate in  
8 price in selling marijuana to any other person licensed under this  
9 chapter. Price differentials for sales of marijuana in any single  
10 transaction or recurring long-term contracts based upon bona fide  
11 business factors including, but not limited to, competitive  
12 conditions, costs of servicing a marijuana retailer's account,  
13 efficiencies in handling goods, or quantity of marijuana products  
14 purchased in the transaction or series of transactions, to the extent  
15 the differentials are not unlawful under trade regulation laws  
16 applicable to goods of all kinds, do not violate this section.

17 (2) Price differentials for sales of marijuana products permitted  
18 under this section are not conditional sales under RCW 69.50.380 and  
19 may not be deemed to result in undue influence or adverse impact to  
20 public health and safety under this chapter.

1       **Sec. 2.** RCW 69.50.380 and 2015 2nd sp.s. c 4 s 211 are each  
2 amended to read as follows:

3       (1) Marijuana producers, processors, and retailers are prohibited  
4 from making sales of any marijuana or marijuana product, if the sale  
5 of the marijuana or marijuana product is conditioned upon the buyer's  
6 purchase of any service or nonmarijuana product. This subsection  
7 applies whether the buyer purchases such service or nonmarijuana  
8 product at the time of sale of the marijuana or marijuana product, or  
9 in a separate transaction. This subsection does not apply to price  
10 differentials permitted under section 1 of this act.

11       (2) The definitions in this subsection apply throughout this  
12 section unless the context clearly requires otherwise.

13       (a) "Marijuana product" means "useable marijuana," "marijuana  
14 concentrates," and "marijuana-infused products," as those terms are  
15 defined in RCW 69.50.101.

16       (b) "Nonmarijuana product" includes paraphernalia, promotional  
17 items, lighters, bags, boxes, containers, and such other items as may  
18 be identified by the state liquor and cannabis board.

19       (c) "Selling price" has the same meaning as in RCW 69.50.535.

20       (d) "Service" includes memberships and any other services  
21 identified by the state liquor and cannabis board.

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