

HOUSE BILL REPORT

SHB 1210

As Reported by House Committee On:
Commerce & Gaming

Title: An act relating to replacing the term "marijuana" with the term "cannabis" throughout the Revised Code of Washington.

Brief Description: Replacing the term "marijuana" with the term "cannabis" throughout the Revised Code of Washington.

Sponsors: House Committee on Commerce & Gaming (originally sponsored by Representatives Morgan, Peterson, Kloba, Johnson, J., Ryu, Santos, Ortiz-Self, Ormsby, Simmons, Gregerson, Riccelli, Macri, Frame and Harris-Talley).

Brief History:

Committee Activity:

Commerce & Gaming: 1/22/21, 1/29/21 [DPS], 1/14/22 [DP2S].

Brief Summary of Second Substitute Bill

- Replaces the term "marijuana" with the term "cannabis" throughout the Revised Code of Washington and requires the Liquor and Cannabis Board to use expedited rulemaking to make the same change to the Washington Administrative Code.
- Provides that the term "marijuana" as used under federal law generally refers to the term "cannabis" used throughout the Revised Code of Washington.

HOUSE COMMITTEE ON COMMERCE & GAMING

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 9 members: Representatives Kloba, Chair; Wicks, Vice Chair; MacEwen, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Chambers, Kirby, Morgan, Vick and Wylie.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Peter Clodfelter (786-7127)

Background:

The term "marijuana" is currently used throughout the Revised Code of Washington in areas including adult-use cannabis laws, laws addressing the medical use of cannabis, and laws addressing topics like agriculture, crimes, colleges and universities, public records, compacts with federally recognized Indian tribes, motor vehicles, health care, and taxes.

The term "Marijuana" is defined in the Uniform Controlled Substances Act as all parts of the plant *Cannabis*, whether growing or not, with a tetrahydrocannabinol (THC) concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. However, the term expressly does not include the following: (1) the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination; or (2) hemp, industrial hemp, or seeds used for licensed hemp production.

Summary of Bill (Second Substitute):

The term "marijuana" is replaced with the term "cannabis" throughout the Revised Code of Washington. The Liquor and Cannabis Board must use expedited rulemaking to replace the term "marijuana" with the term "cannabis" throughout Title 314 of the Washington Administrative Code. It is specified that the term "marijuana" as used under federal law generally refers to the term "cannabis" used throughout the Revised Code of Washington.

The following types of technical corrections are made in the Revised Code of Washington: (1) updating internal cross references where prior enacted legislation created inconsistencies with section numbering; (2) correcting scrivener's errors; (3) correcting outdated references to the Washington State Board of Pharmacy to instead reference the Pharmacy Quality Assurance Commission; and (4) removing provisions from the Washington State Medical Use of Cannabis Act that became ineffective on July 1, 2016.

Second Substitute Bill Compared to Substitute Bill:

The second substitute bill amends the current versions of several sections of the Revised Code of Washington that include the term "marijuana" and were amended during the 2021 legislative session by unrelated legislation enacted into law. The provisions of the original substitute bill are the same including the following: (1) the legislative intent; (2) the provisions replacing the term "marijuana" with the term "cannabis" throughout the Revised Code of Washington; (3) the provision requiring expedited rulemaking by the Liquor and

Cannabis Board to change terminology in agency rules; (4) the provision providing that the term "marijuana" as used under federal law generally refers to the term "cannabis" used throughout the Revised Code of Washington; and (5) the other technical changes.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: This bill takes effect 90 days after the adjournment of the session in which the bill is passed, except for section 7, relating to criminal record vacation, section 51, relating to definitions in the Uniform Controlled Substances Act, and section 116, relating to definitions in the Washington State Medical Use of Cannabis Act, which take effect July 1, 2022; section 5, relating to drug offense seriousness levels, section 9, relating to juvenile justice sentencing, and sections 86 and 88, relating to controlled substance possession crimes and exceptions, which take effect July 1, 2023; section 65, relating to rulemaking by the Liquor and Cannabis Board, and section 68, relating to cannabis laboratory testing, which take effect July 1, 2024; and section 11, relating to licensing under the Food Safety and Security Act, which takes effect July 1, 2030.

Staff Summary of Public Testimony:

See House Bill Report in the 2021 session.

Persons Testifying: See House Bill Report in the 2021 session.

Persons Signed In To Testify But Not Testifying: None.