

SENATE BILL REPORT

2SHB 1210

As Reported by Senate Committee On:
Labor, Commerce & Tribal Affairs, February 21, 2022

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: Passed House: 2/2/22, 83-13.

Committee Activity: Labor, Commerce & Tribal Affairs: 3/18/21, 3/24/21 [DP, DNP]; 2/17/22, 2/21/22 [DP, DNP].

Brief Summary of Bill

- Replaces the term "marijuana" with the term "cannabis" throughout the Revised Code of Washington (RCW) 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 RCW.

SENATE COMMITTEE ON LABOR, COMMERCE & TRIBAL AFFAIRS

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair, Labor; Stanford, Vice Chair, Commerce & Tribal Affairs; King, Ranking Member; Braun, Robinson and Saldaña.

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.

Minority Report: Do not pass.
Signed by Senator Schoesler.

Staff: Matt Shepard-Koningsor (786-7627)

Background: The term "marijuana" is currently used throughout the Revised Code of Washington (RCW) 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 Uniform Controlled Substances Act defines "marijuana" as all parts of the plant *Cannabis*, whether growing or not, with a tetrahydrocannabinol concentration greater than 0.3 percent on a dry weight basis; the seeds; 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. The term expressly does not include the following:

- 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 extracted resin, fiber, oil, or cake, or the sterilized seed of the plant that is incapable of germination; or
- hemp, industrial hemp, or seeds used for licensed hemp production.

Summary of Bill: The term marijuana is replaced with the term cannabis throughout the RCW.

The Liquor and Cannabis Board must use expedited rulemaking to change the terminology in the Washington Administrative Code.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony (Regular Session 2022): PRO: There is historic racism associated with the term "marijuana." While cannabis was not new to the country, news outlets and government officials began linking "marijuana" to immigrants and other working class people, and that is when the fear over "reefer madness" began. At one time, the director of the federal Bureau of Narcotics said that marijuana is the most violence causing drug in the history of mankind. This and other statements were attacks on Black and Brown communities, playing a large role in the War on Drugs. Black Americans were arrested at four times the rate of White Americans. The term "marijuana" is a reminder of

racism and persecution. Changing the term can provide respect to all Washingtonians. LCB requested the requirement for expedited rulemaking in the bill to ensure rules can be adopted quickly to change the terminology in the Washington Administrative Code. The word "marijuana" is purposefully chosen to represent communities of color and is extremely oppressive. This bill is a great first step to correcting these wrongs.

CON: The biggest injustice is having marijuana on the same drug schedule as heroin and that is what we need to address. While there are racial problems, the bad policy remains whether the term is "cannabis" or "marijuana."

Persons Testifying: PRO: Representative Melanie Morgan, Prime Sponsor; Chris Thompson, Liquor and Cannabis Board; Albert Sardinias, WA Build Back Black Alliance (WBBA).

CON: john Worthington.

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