

SENATE BILL REPORT

SB 5927

As of January 28, 2022

Title: An act relating to the safety and security of retail cannabis outlets.

Brief Description: Concerning the safety and security of retail cannabis outlets.

Sponsors: Senators Honeyford and Saldaña.

Brief History:

Committee Activity: Law & Justice: 1/31/22.

Brief Summary of Bill

- Creates a sentencing enhancement for robbery in the first or second degree of a cannabis retail outlet where the perpetrator committed the robbery as a premeditated act in concert with another individual or individuals.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Joe McKittrick (786-7287)

Background: Robbery. An individual who takes personal property from another, or in that person's presence against that person's will by the use or threatened use of immediate force, violence, or fear of injury to that person, that person's property, or the person or property of another is guilty of robbery.

An individual who commits a robbery is guilty of robbery in the second degree, a class B felony. Robbery in the second degree is classified as a seriousness level 4 offense, meaning an individual with an offender score of zero would face a standard sentence range of three to nine months in jail.

An individual who, in the commission of the robbery or in immediate flight therefrom, is

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armed with a deadly weapon, inflicts bodily injury, or commits the robbery against a financial institution, is guilty of robbery in the first degree. Robbery in the first degree is a class A felony and classified as a seriousness level 9 offense, meaning an individual with an offender score of zero would face a standard sentence range of 31 to 41 months in prison.

If an individual commits either robbery in the first or second degree, and it is plead and proven beyond a reasonable doubt that the individual committed the crime against a pharmacy, 12 months are added to the individual's standard sentencing range.

Cannabis Retailer Crimes. Washington legalized cannabis for adult recreation use in 2021. Adults over the age of 21 can purchase and possess up to one ounce of cannabis flower, 16 ounces of cannabis-infused edibles in solid form, 72 ounces in liquid form, and 7 grams of cannabis concentrates. Cannabis can only be sold and purchased at state-licensed retail stores. Due to the complex legal status of cannabis, cannabis retailers primarily operate as cash businesses.

Summary of Bill: The special allegation and sentencing enhancement for robbery in the first or second degree of a cannabis retail outlet where the perpetrator committed the robbery as a premeditated act in concert with another individual or individuals is created.

An individual who is convicted of robbery in the first or second degree of a cannabis retail outlet, as described above, will face a sentencing enhancement of 12 months in prison in addition to the individual's underlying standard sentence.

Appropriation: None.

Fiscal Note: Requested on January, 28, 2022.

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

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