

SENATE BILL REPORT

ESB 5340

As Passed Senate, February 7, 2024

Title: An act relating to limits on the sale and possession of retail cannabis products.

Brief Description: Regarding limits on the sale and possession of retail cannabis products.

Sponsors: Senator King.

Brief History:

Committee Activity: Labor & Commerce: 1/30/23, 2/13/23 [DP].

Floor Activity: Passed Senate: 3/8/23, 47-1; 2/7/24, 48-1.

Brief Summary of Engrossed Bill

- Authorizes a licensed cannabis retailer to sell additional amounts of cannabis-infused product in liquid form to a retail customer under certain conditions.
- Allows a person 21 years of age or older to possess and, subject to requirements in current law, transfer additional amounts of cannabis-infused product in liquid form to another person or persons 21 years of age or older.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun, MacEwen, Robinson, Schoesler and Stanford.

Staff: Madeline Ralstin (786-7356)

Background: Retail Cannabis Transaction Limits. Licensed cannabis retailers and their employees (retailers), in accordance with Liquor and Cannabis Board (LCB) rules, may

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legally deliver, distribute, and sell, in a single transaction on the premises, any combination of the following amounts of cannabis products to a person 21 years of age or older:

- 1 ounce of usable cannabis;
- 16 ounces of cannabis-infused product in solid form;
- 72 ounces of cannabis-infused product in liquid form; and
- 7 grams of cannabis concentrate.

LCB rules specify additional product serving limits allowed in individual units and packages. These amounts differ for retailers with a medical cannabis endorsement selling cannabis or cannabis products to a qualifying patient or designated provider entered into the medical cannabis authorization database.

Cannabis Possession—Transfer Limits. A person 21 years of age or older may possess the amounts above and may transfer up to half of those amounts to another person or persons 21 years of age or older, during a single 24-hour period, if transferred for non-commercial purposes and without financial consideration. The transfer must occur outside of the view of general public and in a non-public place; or the cannabis or cannabis product must be in the original packaging purchased from the retailer. These amounts differ for qualifying patients and designated providers entered into the medical cannabis authorization database.

Summary of Engrossed Bill: Retail Cannabis Transaction Limits. Retailers may sell more than 72 ounces of cannabis-infused product in liquid form if the product is packaged in individual units containing no more than four milligrams of THC per unit. A new limit of 200 milligrams of THC within a cannabis-infused product in liquid form is established if the product is packaged in individual units containing no more than four milligrams of THC per unit.

Cannabis Possession—Transfer Limits. A person 21 years of age or older may legally possess the amounts above and may transfer half of such amounts to another person or persons 21 years of age or older if the transfer complies with other applicable requirements.

Appropriation: None.

Fiscal Note: Available.

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

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

Staff Summary of Public Testimony: PRO: This is about low-THC products, and because of the current purchase limits, all of the fluid counts. This bill allows low-THC beverages to be purchased in higher quantities. This bill modernizes what people can do in the cannabis industry. This bill is necessary to allow consumers to purchase the products they want.

Persons Testifying: PRO: Senator Curtis King, Prime Sponsor; Douglas Henderson, Painted Rooster Cannabis Co.; Vicki Christophersen, Washington CannaBusiness Association.

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