
HOUSE BILL 1415

State of Washington

68th Legislature

2023 Regular Session

By Representatives Maycumber, Chapman, Robertson, Reeves, Cheney, Abbarno, Christian, Barnard, and Eslick

Read first time 01/18/23. Referred to Committee on Community Safety, Justice, & Reentry.

1 AN ACT Relating to making the knowing possession of a controlled
2 substance a gross misdemeanor offense under criminal violations of
3 Title 69 RCW; amending RCW 69.50.4013; prescribing penalties;
4 providing an effective date; and declaring an emergency.

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

6 **Sec. 1.** RCW 69.50.4013 and 2022 c 16 s 86 are each amended to
7 read as follows:

8 (1) It is unlawful for any person to knowingly possess a
9 controlled substance unless the substance was obtained directly from,
10 or pursuant to, a valid prescription or order of a practitioner while
11 acting in the course of his or her professional practice, or except
12 as otherwise authorized by this chapter.

13 (2) Except as provided in RCW 69.50.4014, any person who violates
14 this section is guilty of a (~~class C felony punishable under chapter~~
15 ~~9A.20 RCW~~) gross misdemeanor.

16 (3)(a) The possession, by a person twenty-one years of age or
17 older, of useable cannabis, cannabis concentrates, or cannabis-
18 infused products in amounts that do not exceed those set forth in RCW
19 69.50.360(3) is not a violation of this section, this chapter, or any
20 other provision of Washington state law.

1 (b) The possession of cannabis, useable cannabis, cannabis
2 concentrates, and cannabis-infused products being physically
3 transported or delivered within the state, in amounts not exceeding
4 those that may be established under RCW 69.50.385(3), by a licensed
5 employee of a common carrier when performing the duties authorized in
6 accordance with RCW 69.50.382 and 69.50.385, is not a violation of
7 this section, this chapter, or any other provision of Washington
8 state law.

9 (4)(a) The delivery by a person twenty-one years of age or older
10 to one or more persons twenty-one years of age or older, during a
11 single twenty-four hour period, for noncommercial purposes and not
12 conditioned upon or done in connection with the provision or receipt
13 of financial consideration, of any of the following cannabis
14 products, is not a violation of this section, this chapter, or any
15 other provisions of Washington state law:

16 (i) One-half ounce of useable cannabis;

17 (ii) Eight ounces of cannabis-infused product in solid form;

18 (iii) Thirty-six ounces of cannabis-infused product in liquid
19 form; or

20 (iv) Three and one-half grams of cannabis concentrates.

21 (b) The act of delivering cannabis or a cannabis product as
22 authorized under this subsection (4) must meet one of the following
23 requirements:

24 (i) The delivery must be done in a location outside of the view
25 of general public and in a nonpublic place; or

26 (ii) The cannabis or cannabis product must be in the original
27 packaging as purchased from the cannabis retailer.

28 (5) No person under twenty-one years of age may ~~((possess,))~~
29 manufacture, sell, ~~((or))~~ distribute, or knowingly possess cannabis,
30 cannabis-infused products, or cannabis concentrates, regardless of
31 THC concentration. This does not include qualifying patients with a
32 valid authorization.

33 (6) The possession by a qualifying patient or designated provider
34 of cannabis concentrates, useable cannabis, cannabis-infused
35 products, or plants in accordance with chapter 69.51A RCW is not a
36 violation of this section, this chapter, or any other provision of
37 Washington state law.

38 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
39 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes
2 effect July 1, 2023.

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