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HOUSE BILL 1641

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State of Washington

68th Legislature

2023 Regular Session

By Representatives Davis, Dent, Leavitt, Harris, Callan, Eslick, Walen, Ortiz-Self, Ramel, Rule, Gregerson, and Pollet

Read first time 01/27/23. Referred to Committee on Regulated Substances & Gaming.

1 AN ACT Relating to enacting policy solutions to address public  
2 health challenges of high-potency cannabis products; amending RCW  
3 69.50.535, 69.50.369, 69.50.357, and 69.50.346; and reenacting and  
4 amending RCW 69.50.540.

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

6 **Sec. 1.** RCW 69.50.535 and 2022 c 16 s 101 are each amended to  
7 read as follows:

8 (1)(a) There is levied and collected a cannabis excise tax equal  
9 to ~~((thirty-seven))~~:

10 (i) 37 percent of the selling price on each retail sale in this  
11 state of ~~((cannabis concentrates, useable cannabis, and))~~ cannabis-  
12 infused products, useable cannabis with a THC concentration less than  
13 35 percent, and cannabis concentrates with a THC concentration less  
14 than 35 percent;

15 (ii) 50 percent of the selling price on each retail sale in this  
16 state of cannabis concentrates and useable cannabis with a THC  
17 concentration of 35 percent or greater but less than 60 percent; and

18 (iii) 65 percent of the selling price on each retail sale in this  
19 state of cannabis concentrates and useable cannabis with a THC  
20 concentration greater than 60 percent.

1       **(b)** This tax is separate and in addition to general state and  
2 local sales and use taxes that apply to retail sales of tangible  
3 personal property, and is not part of the total retail price to which  
4 general state and local sales and use taxes apply. The tax must be  
5 separately itemized from the state and local retail sales tax on the  
6 sales receipt provided to the buyer.

7       ~~((b))~~ **(c)** The tax levied in this section must be reflected in  
8 the price list or quoted shelf price in the licensed cannabis retail  
9 store and in any advertising that includes prices for all useable  
10 cannabis, cannabis concentrates, or cannabis-infused products.

11       (2) All revenues collected from the cannabis excise tax imposed  
12 under this section must be deposited each day in the dedicated  
13 cannabis account.

14       (3) The tax imposed in this section must be paid by the buyer to  
15 the seller. Each seller must collect from the buyer the full amount  
16 of the tax payable on each taxable sale. The tax collected as  
17 required by this section is deemed to be held in trust by the seller  
18 until paid to the board. If any seller fails to collect the tax  
19 imposed in this section or, having collected the tax, fails to pay it  
20 as prescribed by the board, whether such failure is the result of the  
21 seller's own acts or the result of acts or conditions beyond the  
22 seller's control, the seller is, nevertheless, personally liable to  
23 the state for the amount of the tax.

24       (4) The definitions in this subsection apply throughout this  
25 section unless the context clearly requires otherwise.

26       (a) "Board" means the state liquor and cannabis board.

27       (b) "Retail sale" has the same meaning as in RCW 82.08.010.

28       (c) "Selling price" has the same meaning as in RCW 82.08.010,  
29 except that when product is sold under circumstances where the total  
30 amount of consideration paid for the product is not indicative of its  
31 true value, "selling price" means the true value of the product sold.

32       (d) "Product" means cannabis, cannabis concentrates, useable  
33 cannabis, and cannabis-infused products.

34       (e) "True value" means market value based on sales at comparable  
35 locations in this state of the same or similar product of like  
36 quality and character sold under comparable conditions of sale to  
37 comparable purchasers. However, in the absence of such sales of the  
38 same or similar product, true value means the value of the product  
39 sold as determined by all of the seller's direct and indirect costs  
40 attributable to the product.

1 (5) (a) The board must regularly review the tax level established  
2 under this section and make recommendations, in consultation with the  
3 department of revenue, to the legislature as appropriate regarding  
4 adjustments that would further the goal of discouraging use while  
5 undercutting illegal market prices.

6 (b) The board must report, in compliance with RCW 43.01.036, to  
7 the appropriate committees of the legislature every two years. The  
8 report at a minimum must include the following:

9 (i) The specific recommendations required under (a) of this  
10 subsection;

11 (ii) A comparison of gross sales and tax collections prior to and  
12 after any cannabis tax change;

13 (iii) The increase or decrease in the volume of legal cannabis  
14 sold prior to and after any cannabis tax change;

15 (iv) Increases or decreases in the number of licensed cannabis  
16 producers, processors, and retailers;

17 (v) The number of illegal and noncompliant cannabis outlets the  
18 board requires to be closed;

19 (vi) Gross cannabis sales and tax collections in Oregon; and

20 (vii) The total amount of reported sales and use taxes exempted  
21 for qualifying patients. The department of revenue must provide the  
22 data of exempt amounts to the board.

23 (c) The board is not required to report to the legislature as  
24 required in (b) of this subsection after January 1, 2025.

25 (6) The legislature does not intend and does not authorize any  
26 person or entity to engage in activities or to conspire to engage in  
27 activities that would constitute per se violations of state and  
28 federal antitrust laws including, but not limited to, agreements  
29 among retailers as to the selling price of any goods sold.

30 **Sec. 2.** RCW 69.50.369 and 2022 c 16 s 75 are each amended to  
31 read as follows:

32 (1) (a) No licensed cannabis producer, processor, researcher, or  
33 retailer may place or maintain, or cause to be placed or maintained,  
34 any sign or other advertisement for a cannabis business or cannabis  
35 product, including useable cannabis, cannabis concentrates, or  
36 cannabis-infused product, in any form or through any medium  
37 whatsoever within one thousand feet of the perimeter of a school  
38 grounds, playground, recreation center or facility, child care

1 center, public park, or library, or any game arcade admission to  
2 which is not restricted to persons aged twenty-one years or older.

3 (b)(i) No person including, but not limited to, a cannabis  
4 producer, processor, researcher, transporter, or retailer may place,  
5 maintain, or distribute, or cause to be placed, maintained, or  
6 distributed, any advertisement or marketing material, in any form or  
7 through any medium whatsoever, for a product that contains greater  
8 than 35 percent total tetrahydrocannabinol.

9 (ii) The prohibition in this subsection (1)(b) applies to all  
10 forms of marketing and advertising including but not limited to  
11 marketing or advertising on web pages, social media, point-of-sale  
12 materials in retail outlets, radio, television, email, text messages,  
13 flyers, event promotion signs, mail, signs, billboards, and all other  
14 forms of advertising or marketing.

15 (iii) For purposes of this subsection (1)(b), the term "percent  
16 total tetrahydrocannabinol" means percent of tetrahydrocannabinol  
17 content, including any hydrogenated or structural isomer forms of  
18 THC, of any part of the plant Cannabis, or per volume or weight of  
19 cannabis product, or the combined percent of tetrahydrocannabinol and  
20 tetrahydrocannabinolic acid in any part of the plant Cannabis  
21 regardless of moisture content.

22 (2) Except for the use of billboards as authorized under this  
23 section, licensed cannabis retailers may not display any signage  
24 outside of the licensed premises, other than two signs identifying  
25 the retail outlet by the licensee's business or trade name, stating  
26 the location of the business, and identifying the nature of the  
27 business. Each sign must be no larger than one thousand six hundred  
28 square inches and be permanently affixed to a building or other  
29 structure. The location and content of the retail cannabis signs  
30 authorized under this subsection are subject to all other  
31 requirements and restrictions established in this section for indoor  
32 signs, outdoor signs, and other cannabis-related advertising methods.

33 (3) A cannabis licensee may not utilize transit advertisements  
34 for the purpose of advertising its business or product line. "Transit  
35 advertisements" means advertising on or within private or public  
36 vehicles and all advertisements placed at, on, or within any bus  
37 stop, taxi stand, transportation waiting area, train station,  
38 airport, or any similar transit-related location.

1 (4) A cannabis licensee may not engage in advertising or other  
2 marketing practice that specifically targets persons residing outside  
3 of the state of Washington.

4 (5) All signs, billboards, or other print advertising for  
5 cannabis businesses or cannabis products must contain text stating  
6 that cannabis products may be purchased or possessed only by persons  
7 twenty-one years of age or older.

8 (6) A cannabis licensee may not:

9 (a) Take any action, directly or indirectly, to target youth in  
10 the advertising, promotion, or marketing of cannabis and cannabis  
11 products, or take any action the primary purpose of which is to  
12 initiate, maintain, or increase the incidence of youth use of  
13 cannabis or cannabis products;

14 (b) Use objects such as toys or inflatables, movie or cartoon  
15 characters, or any other depiction or image likely to be appealing to  
16 youth, where such objects, images, or depictions indicate an intent  
17 to cause youth to become interested in the purchase or consumption of  
18 cannabis products; or

19 (c) Use or employ a commercial mascot outside of, and in  
20 proximity to, a licensed cannabis business. A "commercial mascot"  
21 means live human being, animal, or mechanical device used for  
22 attracting the attention of motorists and passersby so as to make  
23 them aware of cannabis products or the presence of a cannabis  
24 business. Commercial mascots include, but are not limited to,  
25 inflatable tube displays, persons in costume, or wearing, holding, or  
26 spinning a sign with a cannabis-related commercial message or image,  
27 where the intent is to draw attention to a cannabis business or its  
28 products.

29 (7) A cannabis licensee that engages in outdoor advertising is  
30 subject to the advertising requirements and restrictions set forth in  
31 this subsection (7) and elsewhere in this chapter.

32 (a) All outdoor advertising signs, including billboards, are  
33 limited to text that identifies the retail outlet by the licensee's  
34 business or trade name, states the location of the business, and  
35 identifies the type or nature of the business. Such signs may not  
36 contain any depictions of cannabis plants, cannabis products, or  
37 images that might be appealing to children. The board is granted  
38 rule-making authority to regulate the text and images that are  
39 permissible on outdoor advertising. Such rule making must be

1 consistent with other administrative rules generally applicable to  
2 the advertising of cannabis businesses and products.

3 (b) Outdoor advertising is prohibited:

4 (i) On signs and placards in arenas, stadiums, shopping malls,  
5 fairs that receive state allocations, farmers markets, and video game  
6 arcades, whether any of the foregoing are open air or enclosed, but  
7 not including any such sign or placard located in an adult only  
8 facility; and

9 (ii) Billboards that are visible from any street, road, highway,  
10 right-of-way, or public parking area are prohibited, except as  
11 provided in (c) of this subsection.

12 (c) Licensed retail outlets may use a billboard or outdoor sign  
13 solely for the purpose of identifying the name of the business, the  
14 nature of the business, and providing the public with directional  
15 information to the licensed retail outlet. Billboard advertising is  
16 subject to the same requirements and restrictions as set forth in (a)  
17 of this subsection.

18 (d) Advertising signs within the premises of a retail cannabis  
19 business outlet that are visible to the public from outside the  
20 premises must meet the signage regulations and requirements  
21 applicable to outdoor signs as set forth in this section.

22 (e) The restrictions and regulations applicable to outdoor  
23 advertising under this section are not applicable to:

24 (i) An advertisement inside a licensed retail establishment that  
25 sells cannabis products that is not placed on the inside surface of a  
26 window facing outward; or

27 (ii) An outdoor advertisement at the site of an event to be held  
28 at an adult only facility that is placed at such site during the  
29 period the facility or enclosed area constitutes an adult only  
30 facility, but in no event more than fourteen days before the event,  
31 and that does not advertise any cannabis product other than by using  
32 a brand name to identify the event.

33 (8) Merchandising within a retail outlet is not advertising for  
34 the purposes of this section.

35 (9) This section does not apply to a noncommercial message.

36 (10)(a) The board must:

37 (i) Adopt rules implementing this section and specifically  
38 including provisions regulating the billboards and outdoor signs  
39 authorized under this section; and

1 (ii) Fine a licensee one thousand dollars for each violation of  
2 this section until the board adopts rules prescribing penalties for  
3 violations of this section. The rules must establish escalating  
4 penalties including fines and up to suspension or revocation of a  
5 cannabis license for subsequent violations.

6 (b) Fines collected under this subsection must be deposited into  
7 the dedicated cannabis account created under RCW 69.50.530.

8 (11) A city, town, or county may adopt rules of outdoor  
9 advertising by licensed cannabis retailers that are more restrictive  
10 than the advertising restrictions imposed under this chapter.  
11 Enforcement of restrictions to advertising by a city, town, or county  
12 is the responsibility of the city, town, or county.

13 **Sec. 3.** RCW 69.50.357 and 2022 c 16 s 71 are each amended to  
14 read as follows:

15 (1)(a) Retail outlets may not sell products or services other  
16 than cannabis concentrates, useable cannabis, cannabis-infused  
17 products, or paraphernalia intended for the storage or use of  
18 cannabis concentrates, useable cannabis, or cannabis-infused  
19 products.

20 (b)(i) Retail outlets may receive lockable boxes, intended for  
21 the secure storage of cannabis products and paraphernalia, and  
22 related literature as a donation from another person or entity, that  
23 is not a cannabis producer, processor, or retailer, for donation to  
24 their customers.

25 (ii) Retail outlets may donate the lockable boxes and provide the  
26 related literature to any person eligible to purchase cannabis  
27 products under subsection (2) of this section. Retail outlets may not  
28 use the donation of lockable boxes or literature as an incentive or  
29 as a condition of a recipient's purchase of a cannabis product or  
30 paraphernalia.

31 (iii) Retail outlets may also purchase and sell lockable boxes,  
32 provided that the sales price is not less than the cost of  
33 acquisition.

34 (c)(i) Retail outlets may not sell a cannabis product with  
35 greater than 35 percent total tetrahydrocannabinol to a person who is  
36 under age 25 who is not a qualifying patient or designated provider.

37 (ii) For purposes of this subsection (1)(c), the term "percent  
38 total tetrahydrocannabinol" means percent of tetrahydrocannabinol  
39 content, including any hydrogenated or structural isomer forms of

1 THC, of any part of the plant Cannabis, or per volume or weight of  
2 cannabis product, or the combined percent of tetrahydrocannabinol and  
3 tetrahydrocannabinolic acid in any part of the plant Cannabis  
4 regardless of moisture content.

5 (iii) Violations of this subsection (1)(c) are subject to the  
6 following penalties:

7 (A) A five-day suspension or \$500 penalty for a first violation;

8 (B) A seven-day suspension for a second violation during a two-  
9 year period;

10 (C) A 30-day suspension for a third violation in a two-year  
11 period; and

12 (D) Cancellation of license for a fourth violation in a two-year  
13 period.

14 (2) Licensed cannabis retailers may not employ persons under  
15 twenty-one years of age or allow persons under twenty-one years of  
16 age to enter or remain on the premises of a retail outlet. However,  
17 qualifying patients between eighteen and twenty-one years of age with  
18 a recognition card may enter and remain on the premises of a retail  
19 outlet holding a medical cannabis endorsement and may purchase  
20 products for their personal medical use. Qualifying patients who are  
21 under the age of eighteen with a recognition card and who accompany  
22 their designated providers may enter and remain on the premises of a  
23 retail outlet holding a medical cannabis endorsement, but may not  
24 purchase products for their personal medical use.

25 (3)(a) Licensed cannabis retailers must ensure that all employees  
26 are trained on the rules adopted to implement this chapter,  
27 identification of persons under the age of twenty-one, and other  
28 requirements adopted by the board to ensure that persons under the  
29 age of twenty-one are not permitted to enter or remain on the  
30 premises of a retail outlet.

31 (b) Licensed cannabis retailers with a medical cannabis  
32 endorsement must ensure that all employees are trained on the  
33 subjects required by (a) of this subsection as well as identification  
34 of authorizations and recognition cards. Employees must also be  
35 trained to permit qualifying patients who hold recognition cards and  
36 are between the ages of eighteen and twenty-one to enter the premises  
37 and purchase cannabis for their personal medical use and to permit  
38 qualifying patients who are under the age of eighteen with a  
39 recognition card to enter the premises if accompanied by their  
40 designated providers.



1 (4) Except for the purposes of disposal as authorized by the  
2 board, no licensed cannabis retailer or employee of a retail outlet  
3 may open or consume, or allow to be opened or consumed, any cannabis  
4 concentrates, useable cannabis, or cannabis-infused product on the  
5 outlet premises.

6 (5) ~~((The))~~ (a) Cannabis retailers must provide point-of-sale  
7 information to consumers who purchase any cannabis products, except  
8 for useable cannabis, that must include accurate information about  
9 the potential harms of consuming high-THC products, including  
10 cannabis use disorder, psychotic disorders, and cannabinoid  
11 hyperemesis syndrome, populations at elevated risk of experiencing  
12 such potential harms, comparative dosing, how to read a label on a  
13 cannabis product, where to find help if the consumer feels negative  
14 effects, and resources for quitting or reducing cannabis consumption.

15 (b) The board must develop optional training for cannabis retail  
16 staff who want to better understand the point-of-sale information  
17 required to be provided to consumers by this subsection (5). In  
18 developing the optional training, the board must consult with  
19 cannabis retail staff, consumers, persons who have been harmed from  
20 high-THC products, prevention professionals, behavioral health  
21 treatment providers, and youth advocates.

22 (6) Except for subsection (1)(c) of this section, the board must  
23 fine a licensee one thousand dollars for each violation of any  
24 subsection of this section. Fines collected under this section must  
25 be deposited into the dedicated cannabis account created under RCW  
26 69.50.530.

27 **Sec. 4.** RCW 69.50.346 and 2022 c 16 s 66 are each amended to  
28 read as follows:

29 (1) The label on a cannabis product container, including cannabis  
30 concentrates, useable cannabis, or cannabis-infused products, sold at  
31 retail must include:

32 (a) The business or trade name and Washington state unified  
33 business identifier number of the cannabis producer and processor;

34 (b) The lot numbers of the product;

35 (c) The THC concentration and CBD concentration of the product;

36 (d) Medically and scientifically accurate and reliable  
37 information about the health and safety risks posed by cannabis use;

38 (e) Language required by RCW 69.04.480; and

39 (f) A disclaimer, subject to the following conditions:

1 (i) Where there is one statement made under subsection (2) of  
2 this section, or as described in subsection (5)(b) of this section,  
3 the disclaimer must state "This statement has not been evaluated by  
4 the State of Washington. This product is not intended to diagnose,  
5 treat, cure, or prevent any disease."; and

6 (ii) Where there is more than one statement made under subsection  
7 (2) of this section, or as described in subsection (5)(b) of this  
8 section, the disclaimer must state "These statements have not been  
9 evaluated by the State of Washington. This product is not intended to  
10 diagnose, treat, cure, or prevent any disease."

11 (2)(a) For cannabis products that have been identified by the  
12 department in rules adopted under RCW 69.50.375(4) in chapter 246-70  
13 WAC as being a compliant cannabis product, the product label and  
14 labeling may include a structure or function claim describing the  
15 intended role of a product to maintain the structure or any function  
16 of the body, or characterize the documented mechanism by which the  
17 product acts to maintain such structure or function, provided that  
18 the claim is truthful and not misleading.

19 (b) A statement made under (a) of this subsection may not claim  
20 to diagnose, mitigate, treat, cure, or prevent any disease.

21 (3) The labels and labeling may not be:

22 (a) False or misleading; or

23 (b) Especially appealing to children.

24 (4) The label is not required to include the business or trade  
25 name or Washington state unified business identifier number of, or  
26 any information about, the cannabis retailer selling the cannabis  
27 product.

28 (5) A cannabis product is not in violation of any Washington  
29 state law or rule of the board solely because its label or labeling  
30 contains:

31 (a) Directions or recommended conditions of use; or

32 (b) A warning describing the psychoactive effects of the cannabis  
33 product, provided that the warning is truthful and not misleading.

34 (6) This section does not create any civil liability on the part  
35 of the state, the board, any other state agency, officer, employee,  
36 or agent based on a cannabis licensee's description of a structure or  
37 function claim or the product's intended role under subsection (2) of  
38 this section.

39 (7)(a) A cannabis product that contains greater than 35 percent  
40 total tetrahydrocannabinol must include a mandatory health warning

1 label on the product container, in addition to other label  
2 information required under this chapter. The mandatory health warning  
3 label must be in a font size no smaller than 10-point font, use  
4 contrasting colors, and be placed in a prominent location that  
5 occupies at least 40 percent of the product container.

6 (b) The University of Washington's addictions, drug and alcohol  
7 institute in consultation with the board and persons with expertise  
8 in public health must develop the content of the mandatory health  
9 warning label required under this subsection (7). The content must be  
10 tested for comprehension and clarity among persons between the ages  
11 of 21 and 24 years old, persons reporting mental health challenges,  
12 and persons who identify with historically marginalized groups. The  
13 content must include language enumerating the risks associated with  
14 the use of high-THC cannabis products such as acute psychotic  
15 symptoms, development of psychotic disorders, cannabinoid hyperemesis  
16 syndrome, and cannabis use disorder.

17 (c) For purposes of this subsection (7) and subsection (8) of  
18 this section, the term "total tetrahydrocannabinol" means the percent  
19 of tetrahydrocannabinol content, including any hydrogenated or  
20 structural isomer forms of THC, of any part of the plant Cannabis, or  
21 per volume or weight of cannabis product, or the combined percent of  
22 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of  
23 the plant Cannabis regardless of moisture content.

24 (8) All cannabis products offered or sold to a consumer must be  
25 labeled with the number of serving units of tetrahydrocannabinol  
26 included in the package. A single serving unit of  
27 tetrahydrocannabinol is 10 milligrams of total tetrahydrocannabinol  
28 for purposes of this section. A cannabis product offered or sold in a  
29 package that contains more than a single serving unit of  
30 tetrahydrocannabinol must be labeled with text stating "CONTAINS  
31 MULTIPLE SERVINGS" and identify the number of total serving units in  
32 the container. Label information required by this subsection must be  
33 displayed on the cannabis product container in black ink with a white  
34 background and in a minimum font size of 10-point font.

35 (9) In addition to other labeling requirements in this chapter,  
36 all cannabis products offered or sold to a consumer must be labeled  
37 with an expression of a standard tetrahydrocannabinol unit in volume  
38 or amount of product to help a consumer understand or visualize how  
39 much of the product to consume for a single serving unit of  
40 tetrahydrocannabinol. The board must establish permissible text or

1 images that cannabis licensees may include on product packages to  
2 comply with this subsection. By way of example, a permissible  
3 expression of a standard tetrahydrocannabinol unit in volume or  
4 amount of product for a cannabis product intended to be consumed by  
5 inhalation could specify that a serving size should not exceed one  
6 inhalation lasting two seconds per serving.

7 (10) Nothing in this section shall apply to a drug, as defined in  
8 RCW 69.50.101, or a pharmaceutical product approved by the United  
9 States food and drug administration.

10 **Sec. 5.** RCW 69.50.540 and 2022 c 169 s 2 and 2022 c 16 s 102 are  
11 each reenacted and amended to read as follows:

12 (1) For the purposes of this subsection (1), the legislature must  
13 appropriate the amounts provided in this subsection:

14 (a) \$12,500,000 annually to the board for administration of this  
15 chapter as appropriated in the omnibus appropriations act;

16 (b) \$11,000,000 annually to the department of health for the  
17 following:

18 (i) Creation, implementation, operation, and management of a  
19 cannabis, vapor product, and commercial tobacco education and public  
20 health program that contains the following:

21 (A) A cannabis use public health hotline that provides referrals  
22 to substance abuse treatment providers, uses evidence-based or  
23 research-based public health approaches to minimizing the harms  
24 associated with cannabis use, and does not solely advocate an  
25 abstinence-only approach;

26 (B) Programs that support development and implementation of  
27 coordinated intervention strategies for the prevention and reduction  
28 of commercial tobacco, vapor product, and cannabis use by youth and  
29 cannabis cessation treatment services, including grant programs to  
30 local health departments or other local community agencies;

31 (C) Media-based education campaigns across television, internet,  
32 radio, print, and out-of-home advertising, separately targeting youth  
33 and adults, that provide medically and scientifically accurate  
34 information about the health and safety risks posed by cannabis use;  
35 and

36 (D) Outreach to priority populations regarding commercial  
37 tobacco, vapor product, and cannabis use, prevention, and cessation;  
38 and

39 (ii) The Washington poison control center;

1 (c) (i) \$3,000,000 annually to the department of commerce to fund  
2 cannabis social equity grants under RCW 43.330.540; and

3 (ii) \$200,000 annually to the department of commerce to fund  
4 technical assistance through a roster of mentors under RCW  
5 43.330.540;

6 (d) \$200,000 annually, until June 30, 2032, to the health care  
7 authority to contract with the Washington state institute for public  
8 policy to conduct the cost-benefit evaluations and produce the  
9 reports described in RCW 69.50.550;

10 (e) \$25,000 annually to the University of Washington alcohol and  
11 drug abuse institute for the creation, maintenance, and timely  
12 updating of web-based public education materials providing medically  
13 and scientifically accurate information about the health and safety  
14 risks posed by cannabis use;

15 (f) \$300,000 annually to the University of Washington and  
16 \$175,000 annually to the Washington State University for research on  
17 the short-term and long-term effects of cannabis use to include, but  
18 not be limited to, formal and informal methods for estimating and  
19 measuring intoxication and impairments, and for the dissemination of  
20 such research;

21 (g) \$550,000 annually to the office of the superintendent of  
22 public instruction to fund grants to building bridges programs under  
23 chapter 28A.175 RCW;

24 (h) \$2,423,000 for fiscal year 2022 and \$2,423,000 for fiscal  
25 year 2023 to the Washington state patrol for a drug enforcement task  
26 force;

27 (i) \$270,000 for fiscal year 2022 and \$290,000 for fiscal year  
28 2023 to the department of ecology for implementation of accreditation  
29 of cannabis product testing laboratories;

30 (j) \$800,000 for each of fiscal years 2020 through 2023 to the  
31 department of health for the administration of the cannabis  
32 authorization database; ~~((and))~~

33 (k) \$621,000 for fiscal year 2022 and \$635,000 for fiscal year  
34 2023 to the department of agriculture for compliance-based laboratory  
35 analysis of pesticides in cannabis; and

36 (l) \$1,000,000 annually to the department of health to issue  
37 requests for proposals and contract for targeted public health  
38 messages and social marketing campaigns directed toward individuals  
39 most likely to suffer negative impacts of high-THC products including  
40 persons under 25 years of age, persons reporting poor mental health,

1 and persons living with mental health disorders. Messages and media  
2 campaigns funded through this subsection must include information  
3 about risks, comparative dosing of cannabis products, and resources  
4 for persons seeking support for quitting or decreasing their intake  
5 of tetrahydrocannabinol. The content of public health messages and  
6 social marketing campaigns must be developed in partnership with  
7 persons targeted by the messages and campaigns and in consultation  
8 with professionals proficient in public health communication and in  
9 cannabis research.

10 (2) Subsection((s)) (1)(a) through (g) of this section must be  
11 adjusted annually based on the United States bureau of labor  
12 statistics' consumer price index for the Seattle area.

13 (3) After appropriation of the amounts identified in subsection  
14 (1) of this section, the legislature must annually appropriate such  
15 remaining amounts for the purposes listed in this subsection (3) as  
16 follows:

17 (a) Fifty-two percent to the state basic health plan trust  
18 account to be administered by the Washington basic health plan  
19 administrator and used as provided under chapter 70.47 RCW;

20 (b) Eleven percent to the health care authority to:

21 (i) Design and administer the Washington state healthy youth  
22 survey, analyze the collected data, and produce reports, in  
23 collaboration with the office of the superintendent of public  
24 instruction, department of health, department of commerce, family  
25 policy council, and board. The survey must be conducted at least  
26 every two years and include questions regarding, but not necessarily  
27 limited to, academic achievement, age at time of substance use  
28 initiation, antisocial behavior of friends, attitudes toward  
29 antisocial behavior, attitudes toward substance use, laws and  
30 community norms regarding antisocial behavior, family conflict,  
31 family management, parental attitudes toward substance use, peer  
32 rewarding of antisocial behavior, perceived risk of substance use,  
33 and rebelliousness. Funds disbursed under this subsection may be used  
34 to expand administration of the healthy youth survey to student  
35 populations attending institutions of higher education in Washington;

36 (ii) Develop, implement, maintain, and evaluate programs and  
37 practices aimed at the prevention or reduction of maladaptive  
38 substance use, substance use disorder, substance abuse or substance  
39 dependence, as these terms are defined in the diagnostic and  
40 statistical manual of mental disorders, among middle school and high

1 school-age students, whether as an explicit goal of a given program  
2 or practice or as a consistently corresponding effect of its  
3 implementation, mental health services for children and youth, and  
4 services for pregnant and parenting women. In deciding which programs  
5 and practices to fund under this subsection (3)(b)(ii), the director  
6 of the health care authority must consult, at least annually, with  
7 the University of Washington's social development research group and  
8 the University of Washington's alcohol and drug abuse institute; and

9 (iii) Contract with community health centers to provide primary  
10 health and dental care services, migrant health services, and  
11 maternity health care services as provided under RCW 41.05.220;

12 (c)(i) One and one-half percent to counties, cities, and towns  
13 where licensed cannabis retailers are physically located. Each  
14 jurisdiction must receive a share of the revenue distribution under  
15 this subsection (3)(c)(i) based on the proportional share of the  
16 total revenues generated in the individual jurisdiction from the  
17 taxes collected under RCW 69.50.535, from licensed cannabis retailers  
18 physically located in each jurisdiction. For purposes of this  
19 subsection (3)(c), 100 percent of the proportional amount attributed  
20 to a retailer physically located in a city or town must be  
21 distributed to the city or town;

22 (ii) Three and one-half percent to counties, cities, and towns  
23 ratably on a per capita basis. Counties must receive 60 percent of  
24 the distribution based on each county's total proportional  
25 population. Funds may only be distributed to jurisdictions that do  
26 not prohibit the siting of any state licensed cannabis producer,  
27 processor, or retailer;

28 (iii) By September 15th of each year, the board must provide the  
29 state treasurer the annual distribution amount made under this  
30 subsection (3)(c), if any, for each county and city as determined in  
31 (c)(i) and (ii) of this subsection; and

32 (iv) Distribution amounts allocated to each county, city, and  
33 town in (c)(i) and (ii) of this subsection must be distributed in  
34 four installments by the last day of each fiscal quarter; and

35 (d) Thirty-two percent must be deposited in the state general  
36 fund.

37 NEW SECTION. **Sec. 6.** If any provision of this act or its  
38 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other  
2 persons or circumstances is not affected.

--- **END** ---