

SENATE BILL REPORT

SB 5051

As Reported by Senate Committee On:
Commerce & Labor, February 4, 2015

Title: An act relating to transportation and delivery services for marijuana producers, marijuana processors, and marijuana retailers.

Brief Description: Clarifying transportation and delivery services for marijuana producers, marijuana processors, and marijuana retailers.

Sponsors: Senators Hatfield and Kohl-Welles.

Brief History:

Committee Activity: Commerce & Labor: 2/02/15, 2/04/15 [DPS, w/oRec].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: That Substitute Senate Bill No. 5051 be substituted therefor, and the substitute bill do pass.

Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Conway, Keiser, King and Warnick.

Minority Report: That it be referred without recommendation.

Signed by Senator Hasegawa, Ranking Minority Member.

Staff: Richard Rodger (786-7461)

Background: The passage of Initiative 502 (I-502) legalized the recreational use of marijuana and created a comprehensive scheme for the licensing and regulation of marijuana production and distribution. The Liquor Control Board (LCB) is the lead agency for the regulation of marijuana businesses.

Under I-502 the transportation of all marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products must be done by a licensed marijuana producer, processor, or retailer or their employees.

It is a criminal offense to possess marijuana in amounts above specified statutory limits.

Summary of Bill: The bill as referred to committee not considered.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Substitute): A licensed marijuana producer, processor, or retailer may use the services of a common carrier to physically transport or deliver marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products to another licensee. The common carrier must be licensed by LCB.

LBC must adopt rules for an annual licensing procedure of a common carrier who seeks to transport or deliver marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products. LCB may adopt rules establishing the maximum amounts of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products that may be physically transported or delivered at one time by a licensed common carrier.

The criminal offenses regarding possession of controlled substances are modified to allow the transportation and delivery of marijuana, in amounts not exceeding those that may be established by LCB, by a licensed common carrier.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This bill will create efficiencies for existing businesses. It also addresses safety issues for both the employees and the products being delivered. It would be much better to have an armored car deliver these products, than moving them in a minivan. Regulatory certainty in this area will lessen the likelihood of federal intervention.

OTHER: The bill should be amended to make sure that current licensees can continue to deliver their own products without the need to obtain an additional delivery license.

Persons Testifying: PRO: Vicki Christophersen, WA CannaBusiness Assn.; Chris Kealy, Emerald Green Alliance; Jeff Gilmore, tier two producer; Chris Maxwell, Cloud Dot Market; Danielle Rosellison, citizen.

OTHER: Jeremy Larson, WA Marijuana Assn.