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By Representative Cheney

HB 2194 - H COMM AMD

By Committee on Regulated Substances & Gaming

1 On page 3, beginning on line 34, after "is a" strike "class 1
2 civil infraction punishable under chapter 7.80 RCW" and insert
3 "misdemeanor"

4
5 On page 3, after line 38, insert the following:
6 "(d) An investigating law enforcement officer or agency may seize
7 and summarily destroy any and all plants produced or possessed by a
8 person if a person produces more than six plants and is not authorized
9 to do so under RCW 69.50.325 or chapter 69.51A RCW. No property right
10 exists in any plants produced or possessed by a person who exceeds the
11 authorization in this subsection (7), and all the plants, including
12 the six plants that would otherwise be authorized, may be seized and
13 summarily destroyed as provided in this subsection (7)(d)."

EFFECT: (1) Changes the proposed penalty from a class 1 civil infraction to a misdemeanor, for a person who exceeds the new cannabis home grow authorization by producing and knowingly possessing more than six plants but fewer than 16 plants.

(2) Authorizes an investigating law enforcement officer or agency to seize and summarily destroy any and all plants produced or possessed by a person if a person produces more than six plants. Specifies that no property right exists in any plants produced or possessed by a person who exceeds the new home grow authorization, and all the plants, including the six plants that would otherwise be authorized, may be seized and summarily destroyed.

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