
SENATE BILL 5340

State of Washington

68th Legislature

2023 Regular Session

By Senator King

1 AN ACT Relating to limits on the sale and possession of retail
2 cannabis products; and amending RCW 69.50.360 and 69.50.4013.

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

4 **Sec. 1.** RCW 69.50.360 and 2022 c 16 s 72 are each amended to
5 read as follows:

6 The following acts, when performed by a validly licensed cannabis
7 retailer or employee of a validly licensed retail outlet in
8 compliance with rules adopted by the board to implement and enforce
9 chapter 3, Laws of 2013, do not constitute criminal or civil offenses
10 under Washington state law:

11 (1) Purchase and receipt of cannabis concentrates, useable
12 cannabis, or cannabis-infused products that have been properly
13 packaged and labeled from a cannabis processor validly licensed under
14 this chapter;

15 (2) Possession of quantities of cannabis concentrates, useable
16 cannabis, or cannabis-infused products that do not exceed the maximum
17 amounts established by the board under RCW 69.50.345(5);

18 (3) Delivery, distribution, and sale, on the premises of the
19 retail outlet, of any combination of the following amounts of
20 cannabis concentrates, useable cannabis, or cannabis-infused product
21 to any person (~~(twenty-one)~~) 21 years of age or older:

- 1 (a) One ounce of useable cannabis;
- 2 (b) Sixteen ounces of cannabis-infused product in solid form;
- 3 (c) Seventy-two ounces of cannabis-infused product in liquid form
- 4 unless the cannabis-infused product in liquid form is packaged in
- 5 individual units containing no more than four milligrams of THC per
- 6 unit; ((or))
- 7 (d) Two hundred milligrams of THC within a cannabis-infused
- 8 product in liquid form if the product is packaged in individual units
- 9 containing no more than four milligrams of THC per unit; or
- 10 (e) Seven grams of cannabis concentrate; and
- 11 (4) Purchase and receipt of cannabis concentrates, useable
- 12 cannabis, or cannabis-infused products that have been properly
- 13 packaged and labeled from a federally recognized Indian tribe as
- 14 permitted under an agreement between the state and the tribe entered
- 15 into under RCW 43.06.490.

16 **Sec. 2.** RCW 69.50.4013 and 2022 c 16 s 86 are each amended to

17 read as follows:

18 (1) It is unlawful for any person to possess a controlled

19 substance unless the substance was obtained directly from, or

20 pursuant to, a valid prescription or order of a practitioner while

21 acting in the course of his or her professional practice, or except

22 as otherwise authorized by this chapter.

23 (2) Except as provided in RCW 69.50.4014, any person who violates

24 this section is guilty of a class C felony punishable under chapter

25 9A.20 RCW.

26 (3) (a) The possession, by a person (~~(twenty-one)~~) 21 years of age

27 or older, of useable cannabis, cannabis concentrates, or cannabis-

28 infused products in amounts that do not exceed those set forth in RCW

29 69.50.360(3) is not a violation of this section, this chapter, or any

30 other provision of Washington state law.

31 (b) The possession of cannabis, useable cannabis, cannabis

32 concentrates, and cannabis-infused products being physically

33 transported or delivered within the state, in amounts not exceeding

34 those that may be established under RCW 69.50.385(3), by a licensed

35 employee of a common carrier when performing the duties authorized in

36 accordance with RCW 69.50.382 and 69.50.385, is not a violation of

37 this section, this chapter, or any other provision of Washington

38 state law.

1 (4) (a) The delivery by a person (~~((twenty-one))~~) 21 years of age or
2 older to one or more persons (~~((twenty-one))~~) 21 years of age or older,
3 during a single (~~((twenty-four))~~) 24-hour period, for noncommercial
4 purposes and not conditioned upon or done in connection with the
5 provision or receipt of financial consideration, of any of the
6 following cannabis products, is not a violation of this section, this
7 chapter, or any other provisions of Washington state law:

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

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

10 (iii) Thirty-six ounces of cannabis-infused product in liquid
11 form unless the cannabis-infused product in liquid form is packaged
12 in individual units containing no more than four milligrams of THC
13 per unit; (~~((€))~~)

14 (iv) One hundred milligrams of THC within a cannabis-infused
15 product in liquid form if the product is packaged in individual units
16 containing no more than four milligrams of THC per unit; or

17 (v) Three and one-half grams of cannabis concentrates.

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

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

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

25 (5) No person under (~~((twenty-one))~~) 21 years of age may possess,
26 manufacture, sell, or distribute cannabis, cannabis-infused products,
27 or cannabis concentrates, regardless of THC concentration. This does
28 not include qualifying patients with a valid authorization.

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

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