

Second Engrossed second substitute House Bill 2136 – the below section was originally adopted in SB 5052 and then modified as shown below in HB 2136.

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PART X
Medical Use of Marijuana

17 **Sec. 1001.** RCW 69.51A.--- and 2015 c 70 s 26 are each amended to
18 read as follows:

19 (1) Qualifying patients or designated providers may form a
20 cooperative and share responsibility for acquiring and supplying the
21 resources needed to produce and process marijuana only for the
22 medical use of members of the cooperative. No more than four
23 qualifying patients or designated providers may become members of a
24 cooperative under this section and all members must hold valid
25 recognition cards. All members of the cooperative must be at least
26 twenty-one years old. The designated provider of a qualifying patient
27 who is under twenty-one years old may be a member of a cooperative on
28 the qualifying patient's behalf.

29 (2) ~~((Cooperatives may not be located within one mile of a~~
30 ~~marijuana retailer. People))~~ Qualifying patients and designated
31 providers who wish to form a cooperative must register the location
32 with the state liquor and cannabis board and this is the only
33 location where cooperative members may grow or process marijuana.
34 This registration must include the names of all participating members
35 and copies of each participant's recognition card. Only qualifying
36 patients or designated providers registered with the state liquor and
37 cannabis board in association with the location may participate in

1 growing or receive useable marijuana or marijuana-infused products
2 grown at that location.

3 (3) No cooperative may be located in any of the following areas:

4 (a) Within one mile of a marijuana retailer;

5 (b) Within the smaller of either:

6 (i) One thousand feet of the perimeter of the grounds of any
7 elementary or secondary school, playground, recreation center or
8 facility, child care center, public park, public transit center,
9 library, or any game arcade that admission to which is not restricted
10 to persons aged twenty-one years or older; or

11 (ii) The area restricted by ordinance, if the cooperative is
12 located in a city, county, or town that has passed an ordinance
13 pursuant to RCW 69.50.331(8); or

14 (c) Where prohibited by a city, town, or county zoning provision.

15 (4) The state liquor and cannabis board must deny the
16 registration of any cooperative if the location ((is within one mile
17 of a marijuana retailer)) does not comply with the requirements set
18 forth in subsection (3) of this section.

19 ~~((+3))~~ (5) If a qualifying patient or designated provider no
20 longer participates in growing at the location, he or she must notify
21 the state liquor and cannabis board within fifteen days of the date
22 the qualifying patient or designated provider ceases participation.
23 The state liquor and cannabis board must remove his or her name from
24 connection to the cooperative. Additional qualifying patients or
25 designated providers may not join the cooperative until sixty days
26 have passed since the date on which the last qualifying patient or
27 designated provider notifies the state liquor and cannabis board that
28 he or she no longer participates in that cooperative.

29 ~~((+4))~~ (6) Qualifying patients or designated providers who
30 participate in a cooperative under this section:

31 (a) May grow up to the total amount of plants for which each
32 participating member is authorized on their recognition cards, up to
33 a maximum of sixty plants. At the location, the qualifying patients
34 or designated providers may possess the amount of useable marijuana
35 that can be produced with the number of plants permitted under this
36 subsection, but no more than seventy-two ounces;

37 (b) May only participate in one cooperative;

38 (c) May only grow plants in the cooperative and if he or she
39 grows plants in the cooperative may not grow plants elsewhere;

1 (d) Must provide assistance in growing plants. A monetary
2 contribution or donation is not to be considered assistance under
3 this section. Participants must provide nonmonetary resources and
4 labor in order to participate; and

5 (e) May not sell, donate, or otherwise provide marijuana,
6 marijuana concentrates, useable marijuana, or marijuana-infused
7 products to a person who is not participating under this section.

8 ~~((+5+))~~ (7) The location of the cooperative must be the domicile
9 of one of the participants. Only one cooperative may be located per
10 property tax parcel. A copy of each participant's recognition card
11 must be kept at the location at all times.

12 ~~((+6+))~~ (8) The state liquor and cannabis board may adopt rules
13 to implement this section including:

14 (a) Any security requirements necessary to ensure the safety of
15 the cooperative and to reduce the risk of diversion from the
16 cooperative;

17 (b) A seed to sale traceability model that is similar to the seed
18 to sale traceability model used by licensees that will allow the
19 state liquor and cannabis board to track all marijuana grown in a
20 cooperative.

21 ~~((+7+))~~ (9) The state liquor and cannabis board or law
22 enforcement may inspect a cooperative registered under this section
23 to ensure members are in compliance with this section. The state
24 liquor and cannabis board must adopt rules on reasonable inspection
25 hours and reasons for inspections.