



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

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STATE OF WASHINGTON
FILED

DATE: June 21, 2023

TIME: 11:16 AM

WSR 23-13-129

Agency: Washington State Liquor and Cannabis Board

Subject of possible rule making: Chapter 314-55 WAC. The Washington State Liquor and Cannabis Board (Board) is considering rulemaking to implement Engrossed Second Substitute Senate Bill (E2SSB) 5367 (chapter 365, Laws of 2023) enacted during the 2023 legislative session concerning the regulation of products containing tetrahydrocannabinol (THC). As part of this rulemaking, the Board is considering creating new, and amending or repealing existing rule throughout chapter 314-55 WAC as necessary to implement E2SSB 5367.

Statutes authorizing the agency to adopt rules on this subject: E2SSB 5367 (chapter 365, Laws of 2023); RCW 69.50.342; and RCW 69.50.345

Reasons why rules on this subject may be needed and what they might accomplish: Rules may be needed to implement the following provisions of E2SSB 5367:

- Amending the definition of “cannabis”, “cannabis products”, and “THC concentration” in the Uniform Controlled Substances Act (UCSA);
- Adding new definitions of “package” and “unit” to the UCSA and amending other definitions;
- Modifying the permitted activities regarding the enhancement of cannabidiol (CBD) concentration in certain cannabis products;
- Amending the product labeling requirements to reference cannabis product “package” instead of container;
- Prohibiting any person from manufacturing, selling, or distributing cannabis products without a valid state-issued license;
- Prohibiting the production, processing, manufacturing, or sale of any synthetically derived, or completely synthetic cannabinoid, with limited exceptions; and
- Other relevant provisions as necessary to align the current rules within the scope of E2SSB 5367.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rule making

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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(If necessary)

Name:
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 Web site:

Other:

Other:

Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WALCB/subscriber/new>. Rule-making notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the WSLCB website at lcb.wa.gov.

Date: June 21, 2023

Name: David Postman

Title: Chair

Signature:

