



PREPROPOSAL STATEMENT OF INQUIRY

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

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: February 17, 2021

TIME: 10:41 AM

WSR 21-05-074

Agency: Washington State Liquor and Cannabis Board

Subject of possible rule making: WAC 314-55-040 – What criminal history might prevent a marijuana [cannabis] license applicant from receiving or keeping a marijuana [cannabis] license? The Washington State Liquor and Cannabis Board (Board) is considering changes to current rules that frame the standards and thresholds for criminal history checks for marijuana [cannabis] licensees. Additional rules specifically related to this topic may be amended or created as necessary to accomplish the overarching goal of this project.

Statutes authorizing the agency to adopt rules on this subject: RCW 69.50.331; RCW 69.50.342

Reasons why rules on this subject may be needed and what they might accomplish: Initiative 502 (I-502) established a legal framework for the Board to review the criminal history of marijuana [cannabis] license applicants, along with broad rulemaking authority to create rules related to criminal history background check standards. The initial rules concerning this subject were initially established in late 2013, and the most recent revision occurred in early 2016.

The Board seeks to re-evaluate current criminal history background check standards in an effort to remove unnecessary barriers to entry in the legal marijuana [cannabis] market by those individuals disproportionately impacted by marijuana [cannabis] criminalization. Revisions considered will be designed to support socially equitable conditions by deconstructing current rules in a way that creates fair and meaningful access to the economic opportunities afforded by marijuana [cannabis] legalization.

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 development

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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 Other:

(If necessary)

Name:
 Address:
 Phone:
 Fax:
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 Web site:
 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: February 17, 2021	Signature: 
Name: Jane Rushford	
Title: Chair	