



## Washington State Liquor and Cannabis Board

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**To:** David Postman, Board Chair  
Ollie Garrett, Board Member  
Russ Hauge, Board Member

**From:** Kathy Hoffman, Policy and Rules Manager

**Date:** September 29, 2021

**Copy:** Rick Garza, Agency Director  
Toni Hood, Deputy Director  
Justin Nordhorn, Policy and External Affairs Director  
Becky Smith, Licensing and Regulation Director  
Chandra Brady, Director of Enforcement and Education

**Subject:** Request for approval to rescind Board Interim Policy (BIP) 09-2014 concerning recreational marijuana (chapter 314-55 WAC).

Engrossed Substitute House Bill (ESHB) 2304, concerning marijuana processing and retail licenses, and more specifically, how marijuana concentrates would be produced and sold, passed during the 2014 legislative session. The measure, eventually codified in chapter 69.50 RCW, accomplished the following:

- Defined “marijuana concentrates”;
- Provided that licensed marijuana processors could sell marijuana, including marijuana concentrates, useable marijuana, and marijuana-infused products to other processors and to retailers;
- Provided that licensed retailers could sell marijuana concentrates to the same consumers who were allowed to purchase useable marijuana and marijuana-infused products and subject to the same restrictions;
- Incorporated marijuana concentrates were into various statutory provisions governing marijuana licensees;
- Provided that marijuana retailers could sell up to 7 grams of marijuana concentrates product from the premises of a retail outlet, in any combination with allowable amounts of other kinds of marijuana products; and
- Provided that account numbers and values provided to the LCB in connection with an application for a marijuana producer, processor, or retailer license were exempted from Public Records Act (PRA) disclosure

The policy went into effect on June 12, 2014, and was designed to end on the date rules became effective to implement the policy. To that end and to implement the legislation, chapter 314-55 WAC was amended and new sections were added to reflect ESHB 2304. The Board subsequently adopted the rules on May 20, 2015 as WSR #15-11-107, effective June 20, 2015. For these reasons, BIP 09-2014 is no longer necessary.

If the Board approves rescission of BIP 09-2014, the agency will send notice to stakeholders, and remove the BIP from the LCB website.

The Board approves/disapproves the rescission of BIP 01-2017.

\_\_\_\_\_ Approve      \_\_\_\_\_ Disapprove      \_\_\_\_\_  
David Postman, Chair      \_\_\_\_\_  
Date

\_\_\_\_\_ Approve      \_\_\_\_\_ Disapprove      \_\_\_\_\_  
Ollie Garrett, Board Member      \_\_\_\_\_  
Date

\_\_\_\_\_ Approve      \_\_\_\_\_ Disapprove      \_\_\_\_\_  
Russ Hauge, Board Member      \_\_\_\_\_  
Date