



Washington State  
**Liquor and Cannabis Board**

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**Date:** November 8, 2023

**To:** David Postman, Board Chair  
 Ollie Garrett, Board Member  
 Jim Vollendroff, Board Member

**From:** Cassidy West, Policy and Rules Manager

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

**Subject:** **Approval to file a preproposal statement of inquiry (CR 101) regarding implementation of Engrossed Senate Substitute Bill (E2SSB) 5080 (chapter 220, Laws of 2023) regarding various provisions of the Social Equity in Cannabis Program**

The Washington State Liquor and Cannabis Board (Board) is considering rulemaking to implement Engrossed Second Substitute Senate Bill (E2SSB) 5080 (chapter 220, Laws of 2023) enacted during the 2023 legislative session related to various provisions of the Social Equity Program. As part of this rulemaking, the Board is considering new, and amending or repealing existing rule throughout chapter 314-55 WAC as necessary to implement E2SSB 5080.

**Process**

The Policy and Rules Manager requests approval to file the preproposal statement of inquiry (CR 101) for the rule making described in the CR 101 Memorandum attached to this order and presented at the Board meeting on October 25, 2023.

If approved for filing, the **tentative timeline** for the rule making process is outlined below:

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| November 8, 2023 | Board is asked to approve filing preproposal statement of inquiry (CR 101).<br>CR 101 is filed with the Office of the Code Reviser.<br>Webpage is updated and notice circulated by GovDelivery distribution list.<br>Informal comment period begins. |
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| December 6, 2023 | Notice is published in the Washington State Register under WSR 23-23-xxx and informal public comment period begins.   |
| February 4, 2023 | Informal comment period ends (60 days).   |
| April 10, 2024   | Board is asked to approve filing proposed rules (CR 102). CR 102 is filed with the Office of the Code Reviser. Webpage is updated and notice circulated to the rules distribution list.   |
| May 1, 2024      | Notice is published in the Washington State Register under WSR 24-09. Formal public comment period begins.  |
| May 22, 2024     | Public hearing is held, and formal comment period ends.   |
| June 5, 2024     | Board is asked to adopt rules if no substantive changes are made (CR 103). Concise Explanatory Statement is provided to individuals offering written or oral comment at the public hearing or during the formal comment period, consistent with RCW 34.05.325. CR 103 and adopted rules are filed with the Office of the Code Reviser. Webpage is updated and notice circulated by GovDelivery distribution list. |
| July 21, 2024    | Rules are effective 31 days after filing unless otherwise specified. See RCW 34.05.380(2).  |

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

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

\_\_\_\_\_ Approve      \_\_\_\_\_ Disapprove      \_\_\_\_\_ Jim Vollendroff, Board Member      \_\_\_\_\_ Date

Attachment: CR 101 Memorandum.



# PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

**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) 5080 (chapter 220, Laws of 2023) enacted during the 2023 legislative session related to various provisions of the Social Equity in Cannabis Program. 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 5080.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 69.50.335; RCW 69.50.342.

**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 5080:

- Updating definitions such as disproportionately impacted area (DIA), social equity plan, social equity applicant, and other relevant definitions within the scope of the social equity in cannabis program;
- Creating a framework and process for local jurisdiction input on outlet density;
- Expanding social equity license issuance and reissuance;
- Providing for license mobility and county threshold establishment; and
- Other revisions as necessary to align current rules within the scope of E2SSB 5080.

**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:**

Name: Cassidy West, Policy and Rules Manager  
Address: PO Box 43080, Olympia, WA 98504  
Phone: 360-878-4235  
Fax: 360-704-5027  
TTY:  
Email: [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov)  
Web site: [lcb.wa.gov](http://lcb.wa.gov)  
Other:

(If necessary)

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
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](http://lcb.wa.gov).

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| <b>Date:</b> November 8, 2023 | <b>Signature:</b> |
| <b>Name:</b> David Postman    |                   |
| <b>Title:</b> Chair           |                   |



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