



PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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DATE: July 08, 2020

TIME: 2:50 PM

WSR 20-15-041

Agency: Washington State Liquor and Cannabis Board

Subject of possible rule making: Chapter 314-55 WAC – Marijuana Licenses, Application Process, Requirements, and Reporting. The Washington State Liquor and Cannabis Board (Board) is considering establishing new and amending existing sections of rule to implement the directives and requirements of House Bill (HB) 2826 (Chapter 133, Laws of 2020) concerning marijuana vapor products.

Statutes authorizing the agency to adopt rules on this subject: RCW 69.50.342; RCW 69.50.345; HB 2826 (Chapter 133, Laws of 2020)

Reasons why rules on this subject may be needed and what they might accomplish:

HB 2826 provides that the Board may adopt rules prohibiting any type of marijuana vapor product device, or prohibit the use of any type of additive, solvent, ingredient, or compound in the production and processing of marijuana products, including marijuana vapor products.

However, before adopting either of these types of rules, the Board must have determined, following a consultation with the Department of Health (DOH), or any other authority the Board deems appropriate, the device, additive, solvent, ingredient, or compound may pose a risk to public health or youth access.

HB 2826 authorizes the Board to require marijuana processors to submit, under oath, to the Department of Health, a complete list of all constituent substances and the amount and sources of all constituent substances in each marijuana vapor product.

HB 2826 also provides that Board may adopt rules prohibiting the use of a characterizing flavor in marijuana vapor products.

Rules are needed to implement the provisions of HB 2826, and to establish definitions for terms including, but not limited to "characterizing flavor," botanical terpenes," and others.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Washington State Board of Health; Washington State Department of Health.

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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Additional comments: Interested parties may participate in the WSLCB collaborative rulemaking process

Date: July 8, 2019

Name: Jane Rushford

Title: Chair

Signature:

