



## **Notice of Permanent Rules**

**Regarding New Section WAC 314-55-013 – Voluntary marijuana licensee consultation and education program.**

**This concise explanatory statement concerns the Washington State Liquor and Cannabis Board’s (WSLCB) adoption of new section WAC 314-55-013 establishing the voluntary marijuana licensee consultation and education program.**

The Administrative Procedure Act (RCW 34.05.325(6)) requires agencies to complete a concise explanatory statement before filing adopted rules with the Office of the Code Reviser. The concise explanatory statement must be provided to any person upon request, or from whom the WSLCB received comment.

The WSLCB appreciates and encourages your involvement in the rule making process. If you have questions, please contact Kathy Hoffman, Policy and Rules Manager, at (360) 664-1622 or e-mail at [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov).

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### **Background and reasons for adopting these rules**

In the six years since the first marijuana licenses were issued, the marijuana market, industry, and authorizing environment have matured. Although the Board designed the current regulatory structure to align with I-502’s direction to bring marijuana “under a tightly regulated, state-licensed system similar to that for controlling hard alcohol,” it is appropriate to reevaluate that conservative system, including compliance, education, and enforcement activities.

The Board began to consider revisions to existing enforcement guidelines by initiating a formal rule inquiry under WSR #18-22-099 in October, 2018. Those efforts were extended by the passage of Engrossed Substitute Senate Bill (ESSB) 5318 during the 2019 regular session of the Washington State legislature. While ESSB 5318 provided direction for enforcement guideline redesign, it also provided a framework to perfect and expand existing programs for compliance education for licensed marijuana businesses and their employees.

Rules developed under the provisions of ESSB 5318 are required to include a voluntary compliance program created in consultation with licensed marijuana businesses and

their employees, and must include recommendations on abating violations described in chapter 69.50 RCW and chapter 314-55 WAC.

The adopted rules are needed to establish an advice and consultation program that includes the scheduling of consultative services and request prioritization that has been developed in consultation with licensed marijuana businesses and their employees. The adopted rules also include a framework for licensees to abate violations as described in chapter 69.50 RCW and chapter 314-55 WAC.

**Rulemaking history for this adopted rule:**

**CR 101** – filed July 17, 2019 as WSR #19-15-074;  
**CR 102** – filed August 5, 2020 as WSR #20-16-153.  
Public hearing held September 16, 2020.

**The effective date of these rules is November 14, 2020.**

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**Public comment received on the rule proposal:**

There were no written comments received on the rule proposal filed August 5, 2020.

**Public Hearing, September 16, 2020:**

There was no oral testimony offered at the public hearing held on September 16, 2020.

**Changes from Proposed Rules (CR-102) to the Rules as Adopted:**

There were no changes to the proposed rules.