



**July 1, 2020 – December 31, 2020
Rule Development Agenda**

Pursuant to RCW 34.05.314, this report describes current and anticipated rule development activities for the Liquor and Cannabis Board (LCB). If you have any questions regarding this report or LCB rule development activities, please contact Katherine Hoffman at 360-664-1622 or katherine.hoffman@lcb.wa.gov.

This agenda is for informational purposes, and the noted dates of anticipated rulemaking actions are estimates. Any errors in the agenda do not affect the rules and rulemaking notices filed with the Office of the Code Reviser and published in the Washington State Register. There may be additional LCB rule development activities that cannot be forecasted as the agency initiates rulemaking to implement new state laws, meet federal requirements, or meet unforeseen circumstances. The “**Key**” below explains terms and acronyms.

KEY

CR: “Code Reviser” on the notice forms created by the Office of the Code Reviser for use by all state agencies.

CR-101: Preproposal Statement of Inquiry filed under RCW 34.05.310.

CR-102: Proposed Rule Making notice filed under RCW 34.05.320 or 34.05.340.

CR-103: Rule Making Order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

RCW: Revised Code of Washington

WAC: Washington Administrative Code

WSR: Washington State Register official filing reference number given by the Office of the Code Reviser when a notice is filed.

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 31, 2020

TIME: 11:07 AM

WSR 20-16-105

**Liquor Related Rule Development Agenda
July 1, 2020 – December 31, 2020**

RCW/SESSION LAW	RULE TITLE	CR-101	CR-101 WSR#	CR-102	CR-102 WSR#	CR-103	CONTACT	PHONE
<p>RCW 66.24.240, RCW 66.24.244, RCW 66.28.200; RCW 66.28.210; and RCW 66.28.220 as amended by House Bill (HB) 2412 (chapter 230, Laws of 2020).</p> <p>Chapter 66.24 RCW, new section added by Engrossed Substitute Senate Bill (ESSB) 5006 (chapter 186, Laws of 2020);</p> <p>RCW 66.28.310 and RCW 66.24.395 as amended by Engrossed Substitute Senate Bill (ESSB) 6095 (chapter 200, Laws of 2020), and</p> <p>Chapter 66.24 RCW, new section added by Substitute Senate Bill (SSB) 6392 (chapter 210, Laws of 2020).</p>	<p>Chapter 314 WAC - The Washington State Liquor and Cannabis Board (Board) is considering establishing new rule sections and amending existing rule sections to implement the requirements of alcohol-related legislation enacted during the 2020 legislative session, including House Bill (HB) 2412 (chapter 230, Laws of 2020), Engrossed Substitute Senate Bill (ESSB) 5006 (chapter 186, Laws of 2020), Engrossed Substitute Senate Bill (ESSB) 6095 (chapter 200, Laws of 2020), and Substitute Senate Bill (SSB) 6392 (chapter 210, Laws of 2020).</p>	7/22/2020	20-15-160	9/16/2020 (Anticipated)		11/25/2020 (Anticipated)	Audrey Vasek	360-664-1758
<p>RCW 66.08.030, RCW 66.24.140, RCW 66.24.145</p>	<p>Chapter 314-28 WAC – Distillers. The Washington State Liquor and Cannabis Board (Board) is considering revisions to chapter 314-28 WAC to add alternating proprietorship requirements for distilleries and craft distilleries.</p>	11/13/2019	19-23-044	Anticipated		Anticipated	Audrey Vasek	360-664-1758
<p>RCW 66.20.010, as amended by Engrossed House Bill (EHB) 1563 (Chapter 112, Laws of 2019); RCW 66.08.030</p>	<p>Chapter 314-38 WAC – Permits</p>	5/29/2019	19-12-037	8/19/2020 (Anticipated)		10/28/2020 (Anticipated)	Audrey Vasek	360-664-1758
<p>RCW 66.08.030; RCW 66.24.010; and RCW 66.24.380</p>	<p>Chapter 314-05 WAC, Special occasion licenses</p>	1/10/2019	19-03-060	5/27/2020 (Supplemental)	20-12-024	Anticipate Filing	Katherine Hoffman	360-664-1622

RCW 66.08.030, 66.08.050, and E2SSB 5549 (Section 12, chapter 238, Laws of 2020)	Chapter 314-28 WAC—Distillers. The Washington State Liquor and Cannabis Board (Board) is considering establishing new rule sections and amending existing rule sections to implement the directives and requirements of Engrossed Second Substitute Senate Bill (E2SSB) 5549 (chapter 238, Laws of 2020)	8/5/2020 (Anticipated)	10/14/2020 (Anticipated)	12/23/2020 (Anticipated)	Audrey Vasek	360-664-1622
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Cannabis Related Rule Development Agenda July 1, 2020 – December 31, 2020

RCW/SESSION LAW	RULE TITLE	CR-101	CR-101 WSR#	CR-102	CR-102 WSR#	CR-103	CONTACT	PHONE
RCW 69.50.342; RCW 69.50.345; and RCW 69.50.331 as amended by Substitute Senate Bill (SSB) 6206 (Chapter 154, Laws of 2020).	WAC 314-55-020 – Marijuana license qualifications and application process— Licensing change requests. The Washington State Liquor and Cannabis Board (Board) is considering a rule amendment to establish a certificate of compliance for marijuana business premises consistent with Substitute Senate Bill (SSB) 6206, (Chapter 154, Laws of 2020).	7/8/2020	20-15-043	9/30/2020 (Anticipated)		11/25/2020 (Anticipated)	Casey Schaufler	360-664-1760
RCW 69.50.342, as amended by House Bill (HB) 2826 (Chapter 133, Laws of 2020); and RCW 69.50.345.	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.	7/8/2020	20-15-043	12/9/2020 (Anticipated)		2/24/2021 (Anticipated)	Casey Schaufler	360-664-1760
RCW 69.50.342; RCW 69.50.345.	WAC 314-55-075 – Marijuana producer license – Privileges, requirements, and fees. The Washington State Liquor and Cannabis Board (Board) is considering revisions and new rule sections that would incrementally expand the plant canopy square footage allowed for licensed Tier 1 producers.	12/18/2019	20-01-171	9/30/2020 (Anticipated)		12/9/2020 (Anticipated)	Casey Schaufler	360-664-1760

RCW 69.50.342 as amended by Engrossed Substitute Senate Bill (ESSB) 5318 (Chapter 394, Laws of 2019); including new section.	WAC 314-55-XXX. The Washington State Liquor and Cannabis Board (Board) is considering creating a new section of rule that will establish a voluntary compliance program for marijuana licensees consistent with the mandates of Engrossed Senate Substitute Bill (ESSB) 5318 (Chapter 394, Laws of 2019).	7/17/2020	19-15-074	8/5/2020 (Anticipated)		10/14/2020 (Anticipated)	Katherine Hoffman	360-664-1622
RCW 69.50.342; RCW 69.50.345; RCW 69.50.395.	WAC 314-55-035 - What persons or entities have to qualify for a marijuana license? The Washington State Liquor and Cannabis Board (Board) proposes amendments to existing rule and new sections of rule regarding qualifications for a marijuana license, and to implement the directives of Engrossed Substitute House Bill (ESHB) 1794 (Chapter 380, Laws of 2019) regarding agreements by licensed marijuana businesses – intellectual property, now codified in RCW 69.50.395.	10/31/2020	18-22-054	6/24/2020	20-14-032	9/2/2020 (Anticipated)	Katherine Hoffman	360-664-1622
RCW 69.50.342 RCW 69.50.345.	WAC 314-55-101 – Quality assurance sampling protocols; WAC 314-55-102 – Quality assurance testing (effective until February 28, 2021); New Section WAC 314-55-1021 – Quality Assurance and Quality Control (Effective March 1, 2021 until August 31, 2021; New Section WAC 314-55-1022 – Quality Assurance and Quality Control (Effective September 1, 2021); and WAC 314-55-1025 – Proficiency testing. The Washington State Liquor and Cannabis Board (Board) proposes amendments and new sections to current marijuana product testing standards that would require the addition of pesticide and heavy metal testing for all marijuana products produced, processed, and sold in Washington State.	8/8/18	18-17-041	5/27/2020	20-12-036	Anticipated Filing	Katherine Hoffman	360-664-1622