Washington State
Liquor and Cannabis Board

CR 101 Memorandum

Regarding WAC 314-55-040 – What criminal history might prevent a marijuana [cannabis] license applicant from receiving or keeping a marijuana [cannabis] license?

Date: February 17, 2021
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Background

Initiative 502 (I-502) established a legal framework for the Board to review the criminal history of marijuana [cannabis] license applicants, along with broad rulemaking authority to create rules related to criminal history background check standards. The initial rules concerning this subject were initially established in late 2013, and the most recent revision occurred in early 2016.

Reasons Why Rules May Be Needed

The Board seeks to re-evaluate current criminal history background check standards and criteria in an effort to remove unnecessary barriers to entry in the legal marijuana [cannabis] market by individuals disproportionally impacted by marijuana [cannabis] criminalization.

Revisions considered will be designed to support socially equitable conditions by deconstructing current rules in a way that creates fair and meaningful access to the economic opportunities afforded by marijuana [cannabis] legalization.

Process

The rule making process begins by announcing the Board's intent to consider changes to existing rules, adding new rule sections, or both by filing a CR 101 form with the Office of the Code Reviser. This allows staff, stakeholders, industry partners, and all members of the authorizing environment to begin discussing proposed rule changes.

At the CR 101 stage of the rulemaking process, no proposed language is offered. Any interested party may comment on the subject of this possible rulemaking during the designated comment period. Notice will be sent to all who have indicated that they want to receive notice of rule activity pertaining to this

preproposal inquiry. The notice will identify the public comment period and where comments can be sent.