



# PREPROPOSAL STATEMENT OF INQUIRY

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

Do NOT use for expedited rule making

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FILED

DATE: February 28, 2024

TIME: 11:24 AM

WSR 24-06-026

**Agency:** Washington State Liquor and Cannabis Board

**Subject of possible rule making:** Title 314 WAC. The Washington State Liquor and Cannabis Board (LCB) is considering amending WAC 314-55-015 to allow persons under 21 years of age on licensed premises of cannabis producers and processors under certain conditions.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 69.50.325; RCW 69.50.342; RCW 69.50.345

**Reasons why rules on this subject may be needed and what they might accomplish:** In August 2022, the Board accepted two petitions, both from the same petitioner, to consider rulemaking to amend WAC 314-55-015(2) to allow for exemptions to the prohibition of persons under the age of 21 on the premises of licensed cannabis producers and processors. One petition requested that the Liquor and Cannabis Board (LCB) codify a temporary cannabis license allowance, put in place in March 2020 in response to Covid-19, that permitted minors under sixteen years of age on licensed premises of cannabis producers and processors, in limited circumstances. These circumstances included that the child under sixteen was a child or grandchild of the licensee, was not engaging in any work or act of employment for the licensed business, and did not possess any products associated with the production, processing, or sales of cannabis. This allowance expired on December 31, 2022.

The second petition requested that employees, under the age of twenty-one, of contractors engaged in construction, electrical, plumbing, HVAC work, etc. be permitted on licensed premises of cannabis producers and processors, provided the person is over the age of sixteen and not engaging in any work related to production, processing or sales of cannabis.

Under WAC 314-55-015(2), no one under 21 years of age may enter or remain on cannabis licensed premises except as provided in RCW 69.50.357, which allows qualifying patients under 21 years of age on the premises of retail outlets only, under certain conditions. Statute explicitly prohibits the delivery, sale, or possession of cannabis products to persons under 21 years of age but does not prohibit persons under 21 years of age to enter or remain on the licensed premises of a producer or processor. The Board has broad statutory authority to adopt rules that regulate producer and processor licenses as provided in RCW 69.50.325, RCW 69.50.342, and RCW 69.50.345.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

**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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(If necessary)

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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/WLCB/subscriber/new>. Rulemaking notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the WSLCB website at lcb.wa.gov.

**Date:** February 28, 2024

**Name:** David Postman

**Title:** Board Chair

**Signature:**

