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SENATE BILL 5528

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Kohl-Welles, Delvin, Litzow, Kline, Darneille, Keiser, and Murray

Read first time 02/01/13. Referred to Committee on Health Care .

1 AN ACT Relating to the medical use of cannabis but only relating to  
2 making technical corrections necessary to address the partial veto of  
3 Engrossed Second Substitute Senate Bill No. 5073 by restoring  
4 definitions, removing references to the vetoed provisions, providing  
5 qualifying patients and their designated providers with arrest  
6 protection, and requesting the liquor control board to study the  
7 feasibility of issuing a qualifying patient identification card;  
8 amending RCW 69.51A.010, 69.51A.020, 69.51A.030, 69.51A.040,  
9 69.51A.047, 69.51A.055, 69.51A.060, 69.51A.085, and 69.51A.140;  
10 creating a new section; repealing RCW 69.51A.043; and providing an  
11 expiration date.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

13 **Sec. 1.** RCW 69.51A.010 and 2010 c 284 s 2 are each amended to read  
14 as follows:

15 The definitions in this section apply throughout this chapter  
16 unless the context clearly requires otherwise.

17 (1) "Cannabis" means all parts of the plant Cannabis, whether  
18 growing or not; the seeds thereof; the resin extracted from any part of  
19 the plant; and every compound, manufacture, salt, derivative, mixture,

1 or preparation of the plant, its seeds, or resin. For the purposes of  
2 this chapter, "cannabis" does not include the mature stalks of the  
3 plant, fiber produced from the stalks, oil or cake made from the seeds  
4 of the plant, any other compound, manufacture, salt, derivative,  
5 mixture, or preparation of the mature stalks, except the resin  
6 extracted therefrom, fiber, oil, or cake, or the sterilized seed of the  
7 plant which is incapable of germination. "Cannabis" includes cannabis  
8 products and useable cannabis.

9 (2) "Cannabis products" means products that contain cannabis or  
10 cannabis extracts, have a measurable THC concentration greater than  
11 three-tenths of one percent, and are intended for human consumption or  
12 application, including, but not limited to, edible products, tinctures,  
13 and lotions. "Cannabis products," does not include useable cannabis.  
14 "Cannabis products," as a measurement of THC concentration, only  
15 applies to the provisions of this chapter and is not considered  
16 applicable to any criminal laws related to marijuana or cannabis.

17 (3) "Collective garden" means qualifying patients sharing  
18 responsibility for acquiring and supplying the resources required to  
19 produce and process cannabis for medical use such as, for example, a  
20 location for a collective garden; equipment, supplies, and labor  
21 necessary to plant, grow, and harvest cannabis; cannabis plants, seeds,  
22 and cuttings; and equipment, supplies, and labor necessary for proper  
23 construction, plumbing, wiring, and ventilation of a garden of cannabis  
24 plants.

25 (4) "Correctional facility" has the same meaning as provided in RCW  
26 72.09.015.

27 (5) "Corrections agency or department" means any agency or  
28 department in the state of Washington, including local governments or  
29 jails, that is vested with the responsibility to manage those  
30 individuals who are being supervised in the community for a criminal  
31 conviction and has established a written policy for determining when  
32 the medical use of cannabis, including possession, manufacture, or  
33 delivery of, or for possession with intent to manufacture or deliver,  
34 is inconsistent with and contrary to the person's supervision.

35 (6)(a) "Designated provider" means a person who:

36 ((+a)) (i) Is eighteen years of age or older;

37 ((+b)) (ii) Has been designated in ((writing)) a written document

1 signed and dated by a qualifying patient to serve as a designated  
2 provider under this chapter; and

3 ~~((c)) (iii) Is prohibited from consuming marijuana obtained for~~  
4 ~~the personal, medical use of the patient for whom the individual is~~  
5 ~~acting as designated provider; and~~

6 ~~(d) Is the designated provider to only one patient at any one time.~~  
7 ~~(2)) in compliance with the terms and conditions set forth in RCW~~  
8 ~~69.51A.040.~~

9 (b) A qualifying patient may be the designated provider for another  
10 qualifying patient and be in possession of both patients' cannabis at  
11 the same time.

12 (7) "Health care professional," for purposes of this chapter only,  
13 means a physician licensed under chapter 18.71 RCW, a physician  
14 assistant licensed under chapter 18.71A RCW, an osteopathic physician  
15 licensed under chapter 18.57 RCW, an osteopathic physicians' assistant  
16 licensed under chapter 18.57A RCW, a naturopath licensed under chapter  
17 18.36A RCW, or an advanced registered nurse practitioner licensed under  
18 chapter 18.79 RCW.

19 ~~((3)) (8) "Medical use of (marijuana) cannabis" means the~~  
20 ~~manufacture, production, possession, transportation, delivery,~~  
21 ~~ingestion, application, or administration of (marijuana, as defined in~~  
22 ~~RCW 69.50.101(q),) cannabis for the exclusive benefit of a qualifying~~  
23 ~~patient in the treatment of his or her terminal or debilitating~~  
24 ~~(illness) medical condition.~~

25 ~~((4)) (9) "Peace officer" means any law enforcement personnel as~~  
26 ~~defined in RCW 43.101.010.~~

27 (10) "Person" means an individual or an entity.

28 (11) "Plant" means an organism having at least three  
29 distinguishable and distinct leaves, each leaf being at least three  
30 centimeters in diameter, and a readily observable root formation  
31 consisting of at least two separate and distinct roots, each being at  
32 least two centimeters in length. Multiple stalks emanating from the  
33 same root ball or root system is considered part of the same single  
34 plant.

35 (12) "Public place" includes streets and alleys of incorporated  
36 cities and towns; state or county or township highways or roads;  
37 buildings and grounds used for school purposes; public dance halls and  
38 grounds adjacent thereto; premises where goods and services are offered

1 to the public for retail sale; public buildings, public meeting halls,  
2 lobbies, halls and dining rooms of hotels, restaurants, theatres,  
3 stores, garages, and filling stations that are open to and are  
4 generally used by the public and to which the public is permitted to  
5 have unrestricted access; railroad trains, stages, buses, ferries, and  
6 other public conveyances of all kinds and character, and the depots,  
7 stops, and waiting rooms used in conjunction therewith which are open  
8 to unrestricted use and access by the public; publicly owned bathing  
9 beaches, parks, or playgrounds; and all other places of like or similar  
10 nature to which the general public has unrestricted right of access,  
11 and that are generally used by the public.

12 (13) "Qualifying patient" means a person who:

13 (a)(i) Is a patient of a health care professional;

14 ((+b)) (ii) Has been diagnosed by that health care professional as  
15 having a terminal or debilitating medical condition;

16 ((+e)) (iii) Is a resident of the state of Washington at the time  
17 of such diagnosis;

18 ((+d)) (iv) Has been advised by that health care professional  
19 about the risks and benefits of the medical use of ((marijuana))  
20 cannabis; ((and

21 +e)) (v) Has been advised by that health care professional that  
22 ((they)) he or she may benefit from the medical use of ((marijuana))  
23 cannabis; and

24 (vi) Is otherwise in compliance with the terms and conditions  
25 established in this chapter.

26 (b) "Qualifying patient" does not include a person who is actively  
27 being supervised for a criminal conviction by a corrections agency or  
28 department that has determined that the terms of this chapter are  
29 inconsistent with and contrary to his or her supervision and all  
30 related processes and procedures related to that supervision.

31 ((+5)) (14) "Tamper-resistant paper" means paper that meets one or  
32 more of the following industry-recognized features:

33 (a) One or more features designed to prevent copying of the paper;

34 (b) One or more features designed to prevent the erasure or  
35 modification of information on the paper; or

36 (c) One or more features designed to prevent the use of counterfeit  
37 valid documentation.

38 ((+6)) (15) "Terminal or debilitating medical condition" means:

1 (a) Cancer, human immunodeficiency virus (HIV), multiple sclerosis,  
2 epilepsy or other seizure disorder, or spasticity disorders; or

3 (b) Intractable pain, limited for the purpose of this chapter to  
4 mean pain unrelieved by standard medical treatments and medications; or

5 (c) Glaucoma, either acute or chronic, limited for the purpose of  
6 this chapter to mean increased intraocular pressure unrelieved by  
7 standard treatments and medications; or

8 (d) Crohn's disease with debilitating symptoms unrelieved by  
9 standard treatments or medications; or

10 (e) Hepatitis C with debilitating nausea or intractable pain  
11 unrelieved by standard treatments or medications; or

12 (f) Diseases, including anorexia, which result in nausea, vomiting,  
13 wasting, appetite loss, cramping, seizures, muscle spasms, or  
14 spasticity, when these symptoms are unrelieved by standard treatments  
15 or medications; or

16 (g) Any other medical condition duly approved by the Washington  
17 state medical quality assurance commission in consultation with the  
18 board of osteopathic medicine and surgery as directed in this chapter.

19 ~~((7))~~ (16) "THC concentration" means percent of  
20 tetrahydrocannabinol content per weight or volume of useable cannabis  
21 or cannabis product.

22 (17) "Useable cannabis" means dried flowers of the Cannabis plant  
23 having a THC concentration greater than three-tenths of one percent.  
24 Useable cannabis excludes stems, stalks, leaves, seeds, and roots. For  
25 purposes of this subsection, "dried" means containing less than fifteen  
26 percent moisture content by weight. "Useable cannabis" does not  
27 include cannabis products.

28 (18) "Valid documentation" means:

29 (a) A statement signed and dated by a qualifying patient's health  
30 care professional written on tamper-resistant paper, which states that,  
31 in the health care professional's professional opinion, the patient may  
32 benefit from the medical use of ~~((marijuana))~~ cannabis; and

33 (b) Proof of identity such as a Washington state driver's license  
34 or identicard, as defined in RCW 46.20.035.

35 **Sec. 2.** RCW 69.51A.020 and 2011 c 181 s 103 are each amended to  
36 read as follows:

37 ~~((Nothing in this chapter shall be construed to supersede~~

1 ~~Washington state law prohibiting the acquisition, possession,~~  
2 ~~manufacture, sale, or use of cannabis for nonmedical purposes.))~~  
3 Criminal penalties created under this chapter (~~(181, Laws of 2011)~~) do  
4 not preclude the prosecution or punishment for other crimes, including  
5 other crimes involving the manufacture or delivery of cannabis for  
6 nonmedical purposes.

7 **Sec. 3.** RCW 69.51A.030 and 2011 c 181 s 301 are each amended to  
8 read as follows:

9 (1) The following acts do not constitute crimes under state law or  
10 unprofessional conduct under chapter 18.130 RCW, and a health care  
11 professional may not be arrested, searched, prosecuted, disciplined, or  
12 subject to other criminal sanctions or civil consequences or liability  
13 under state law, or have real or personal property searched, seized, or  
14 forfeited pursuant to state law, notwithstanding any other provision of  
15 law as long as the health care professional complies with subsection  
16 (2) of this section:

17 (a) Advising a qualifying patient about the risks and benefits of  
18 medical use of cannabis or that the qualifying patient may benefit from  
19 the medical use of cannabis; or

20 (b) Providing a qualifying patient (~~((meeting the criteria~~  
21 ~~established under RCW 69.51A.010(26))~~) with valid documentation, based  
22 upon the health care professional's assessment of the patient's medical  
23 history and current medical condition, where such use is within a  
24 professional standard of care or in the individual health care  
25 professional's medical judgment.

26 (2)(a) A health care professional may only provide a qualifying  
27 patient with valid documentation authorizing the medical use of  
28 cannabis (~~((or register the patient with the registry established in~~  
29 ~~section 901 of this act))~~) if he or she has a newly initiated or  
30 existing documented relationship with the qualifying patient, as a  
31 primary care provider or a specialist, relating to the diagnosis and  
32 ongoing treatment or monitoring of the qualifying patient's terminal or  
33 debilitating medical condition, and only after:

34 (i) Completing a physical examination of the patient as  
35 appropriate, based on the patient's condition and age;

36 (ii) Documenting the terminal or debilitating medical condition of

1 the qualifying patient in the patient's medical record and that the  
2 patient may benefit from treatment of this condition or its symptoms  
3 with medical use of cannabis;

4 (iii) Informing the qualifying patient of other options for  
5 treating the terminal or debilitating medical condition; and

6 (iv) Documenting other measures attempted to treat the terminal or  
7 debilitating medical condition that do not involve the medical use of  
8 cannabis.

9 (b) A health care professional shall not:

10 (i) ~~((Accept, solicit, or offer any form of pecuniary remuneration  
11 from or to a licensed dispenser, licensed producer, or licensed  
12 processor of cannabis products;~~

13 ~~(ii) Offer a discount or any other thing of value to a qualifying  
14 patient who is a customer of, or agrees to be a customer of, a  
15 particular licensed dispenser, licensed producer, or licensed processor  
16 of cannabis products;~~

17 ~~(iii) Examine or offer to examine a patient for purposes of  
18 diagnosing a terminal or debilitating medical condition at a location  
19 where cannabis is produced, processed, or dispensed;~~

20 ~~(iv))~~ Have a business or practice which consists solely of  
21 authorizing the medical use of cannabis;

22 ~~((v))~~ (ii) Include any statement or reference, visual or  
23 otherwise, on the medical use of cannabis in any advertisement for his  
24 or her business or practice; or

25 ~~((vi))~~ (iii) Hold an economic interest in an enterprise that  
26 produces, processes, or dispenses cannabis if the health care  
27 professional authorizes the medical use of cannabis.

28 (3) A violation of any provision of subsection (2) of this section  
29 constitutes unprofessional conduct under chapter 18.130 RCW.

30 **Sec. 4.** RCW 69.51A.040 and 2011 c 181 s 401 are each amended to  
31 read as follows:

32 The medical use of cannabis in accordance with the terms and  
33 conditions of this chapter does not constitute a crime and a qualifying  
34 patient or designated provider in compliance with the terms and  
35 conditions of this chapter may not be arrested, prosecuted, or subject  
36 to other criminal sanctions or civil consequences, for possession,  
37 manufacture, or delivery of, or for possession with intent to

1 manufacture or deliver, cannabis under state law, or have real or  
2 personal property seized or forfeited for possession, manufacture, or  
3 delivery of, or for possession with intent to manufacture or deliver,  
4 cannabis under state law, and investigating peace officers and law  
5 enforcement agencies may not be held civilly liable for failure to  
6 seize cannabis in this circumstance, if:

7 (1)(a) The qualifying patient or designated provider possesses no  
8 more than fifteen cannabis plants and:

9 (i) No more than twenty-four ounces of useable cannabis;

10 (ii) No more cannabis product than what could reasonably be  
11 produced with no more than twenty-four ounces of useable cannabis; or

12 (iii) A combination of useable cannabis and cannabis product that  
13 does not exceed a combined total representing possession and processing  
14 of no more than twenty-four ounces of useable cannabis.

15 (b) If a person is both a qualifying patient and a designated  
16 provider for another qualifying patient, the person may possess no more  
17 than twice the amounts described in (a) of this subsection, whether the  
18 plants, useable cannabis, and cannabis product are possessed  
19 individually or in combination between the qualifying patient and his  
20 or her designated provider;

21 (2) The qualifying patient or designated provider presents his or  
22 her (~~(proof of registration with the department of health,))~~ valid  
23 documentation to any peace officer who questions the patient or  
24 provider regarding his or her medical use of cannabis;

25 (~~(3) ((The qualifying patient or designated provider keeps a copy of~~  
26 ~~his or her proof of registration with the registry established in~~  
27 ~~section 901 of this act and the qualifying patient or designated~~  
28 ~~provider's contact information posted prominently next to any cannabis~~  
29 ~~plants, cannabis products, or useable cannabis located at his or her~~  
30 ~~residence;~~

31 ~~(4))~~) The investigating peace officer does not possess evidence  
32 that:

33 (a) The designated provider has converted cannabis produced or  
34 obtained for the qualifying patient for his or her own personal use or  
35 benefit; or

36 (b) The qualifying patient has converted cannabis produced or  
37 obtained for his or her own medical use to the qualifying patient's  
38 personal, nonmedical use or benefit; and



1        ~~((5))~~ (4) The investigating peace officer does not possess  
2 evidence that the designated provider has served as a designated  
3 provider to more than one qualifying patient within a fifteen-day  
4 period(~~(7) and~~  
5        ~~(6) The investigating peace officer has not observed evidence of~~  
6 ~~any of the circumstances identified in section 901(4) of this act~~)).

7        **Sec. 5.** RCW 69.51A.047 and 2011 c 181 s 406 are each amended to  
8 read as follows:

9        A qualifying patient or designated provider who (~~is not registered~~  
10 ~~with the registry established in section 901 of this act or~~) does not  
11 present his or her valid documentation to a peace officer who questions  
12 the patient or provider regarding his or her medical use of cannabis  
13 but is in compliance with all other terms and conditions of this  
14 chapter may establish an affirmative defense to charges of violations  
15 of state law relating to cannabis through proof at trial, by a  
16 preponderance of the evidence, that he or she was a validly authorized  
17 qualifying patient or designated provider at the time of the officer's  
18 questioning. A qualifying patient or designated provider who  
19 establishes an affirmative defense under the terms of this section may  
20 also establish an affirmative defense under RCW 69.51A.045.

21        **Sec. 6.** RCW 69.51A.055 and 2011 c 181 s 1105 are each amended to  
22 read as follows:

23        (1)(a) The arrest and prosecution protections established in RCW  
24 69.51A.040 may not be asserted in a supervision revocation or violation  
25 hearing by a person who is supervised by a corrections agency or  
26 department, including local governments or jails, that has determined  
27 that the terms of this section are inconsistent with and contrary to  
28 his or her supervision.

29        (b) The affirmative defenses established in RCW (~~69.51A.043~~)  
30 69.51A.045(~~(7)~~) and 69.51A.047(~~(7) and section 407 of this act~~) may not  
31 be asserted in a supervision revocation or violation hearing by a  
32 person who is supervised by a corrections agency or department,  
33 including local governments or jails, that has determined that the  
34 terms of this section are inconsistent with and contrary to his or her  
35 supervision.

1 (2) The provisions of RCW 69.51A.040, 69.51A.085, and 69.51A.025 do  
2 not apply to a person who is supervised for a criminal conviction by a  
3 corrections agency or department, including local governments or jails,  
4 that has determined that the terms of this chapter are inconsistent  
5 with and contrary to his or her supervision.

6 ~~((3) A person may not be licensed as a licensed producer, licensed  
7 processor of cannabis products, or a licensed dispenser under section  
8 601, 602, or 701 of this act if he or she is supervised for a criminal  
9 conviction by a corrections agency or department, including local  
10 governments or jails, that has determined that licensure is  
11 inconsistent with and contrary to his or her supervision.))~~

12 **Sec. 7.** RCW 69.51A.060 and 2011 c 181 s 501 are each amended to  
13 read as follows:

14 (1) It shall be a class 3 civil infraction to use or display  
15 medical cannabis in a manner or place which is open to the view of the  
16 general public.

17 (2) Nothing in this chapter establishes a right of care as a  
18 covered benefit or requires any state purchased health care as defined  
19 in RCW 41.05.011 or other health carrier or health plan as defined in  
20 Title 48 RCW to be liable for any claim for reimbursement for the  
21 medical use of cannabis. Such entities may enact coverage or  
22 noncoverage criteria or related policies for payment or nonpayment of  
23 medical cannabis in their sole discretion.

24 (3) Nothing in this chapter requires any health care professional  
25 to authorize the medical use of cannabis for a patient.

26 (4) Nothing in this chapter requires any accommodation of any on-  
27 site medical use of cannabis in any place of employment, in any school  
28 bus or on any school grounds, in any youth center, in any correctional  
29 facility, or smoking cannabis in any public place or hotel or motel.

30 (5) Nothing in this chapter authorizes the use of medical cannabis  
31 by any person who is subject to the Washington code of military justice  
32 in chapter 38.38 RCW.

33 (6) Employers may establish drug-free work policies. Nothing in  
34 this chapter requires an accommodation for the medical use of cannabis  
35 if an employer has a drug-free work place.

36 (7) It is a class C felony to fraudulently produce any record  
37 purporting to be, or tamper with the content of any record for the

1 purpose of having it accepted as, valid documentation (~~under RCW~~  
2 ~~69.51A.010(32)(a)~~), or to backdate such documentation to a time  
3 earlier than its actual date of execution.

4 (8) No person shall be entitled to claim the protection from arrest  
5 and prosecution under RCW 69.51A.040 (~~or the affirmative defense under~~  
6 ~~RCW 69.51A.043~~) for engaging in the medical use of cannabis in a way  
7 that endangers the health or well-being of any person through the use  
8 of a motorized vehicle on a street, road, or highway, including  
9 violations of RCW 46.61.502 or 46.61.504, or equivalent local  
10 ordinances.

11 **Sec. 8.** RCW 69.51A.085 and 2011 c 181 s 403 are each amended to  
12 read as follows:

13 (1) Qualifying patients may create and participate in collective  
14 gardens for the purpose of producing, processing, transporting, and  
15 delivering cannabis for medical use subject to the following  
16 conditions:

17 (a) No more than ten qualifying patients may participate in a  
18 single collective garden at any time;

19 (b) A collective garden may contain no more than fifteen plants per  
20 patient up to a total of forty-five plants;

21 (c) A collective garden may contain no more than twenty-four ounces  
22 of useable cannabis per patient up to a total of seventy-two ounces of  
23 useable cannabis;

24 (d) A (~~copy of each qualifying patient's valid documentation or~~  
25 ~~proof of registration with the registry established in section 901 of~~  
26 ~~this act, including a~~) copy of the patient's proof of identity(~~(7)~~)  
27 must be available at all times on the premises of the collective  
28 garden; and

29 (e) No useable cannabis from the collective garden is delivered to  
30 anyone other than one of the qualifying patients participating in the  
31 collective garden.

32 (2) (~~For purposes of this section, the creation of a "collective~~  
33 ~~garden" means qualifying patients sharing responsibility for acquiring~~  
34 ~~and supplying the resources required to produce and process cannabis~~  
35 ~~for medical use such as, for example, a location for a collective~~  
36 ~~garden; equipment, supplies, and labor necessary to plant, grow, and~~

1 ~~harvest cannabis; cannabis plants, seeds, and cuttings; and equipment,~~  
2 ~~supplies, and labor necessary for proper construction, plumbing,~~  
3 ~~wiring, and ventilation of a garden of cannabis plants.~~

4 ~~(3))~~ A person who knowingly violates a provision of subsection (1)  
5 of this section is not entitled to the protections of this chapter.

6 **Sec. 9.** RCW 69.51A.140 and 2011 c 181 s 1102 are each amended to  
7 read as follows:

8 (1) Cities and towns may adopt and enforce any of the following  
9 pertaining to ~~((the production, processing, or dispensing of))~~ medical  
10 cannabis or cannabis products within their jurisdiction: Zoning  
11 requirements, business licensing requirements, health and safety  
12 requirements, and business taxes. ~~((Nothing in chapter 181, Laws of~~  
13 ~~2011 is intended to limit the authority of cities and towns to impose~~  
14 ~~zoning requirements or other conditions upon licensed dispensers, so~~  
15 ~~long as such requirements do not preclude the possibility of siting~~  
16 ~~licensed dispensers within the jurisdiction. If the jurisdiction has~~  
17 ~~no commercial zones, the jurisdiction is not required to adopt zoning~~  
18 ~~to accommodate licensed dispensers.))~~

19 (2) Counties may adopt and enforce any of the following pertaining  
20 to ~~((the production, processing, or dispensing of))~~ medical cannabis or  
21 cannabis products within their jurisdiction in locations outside of the  
22 corporate limits of any city or town: Zoning requirements, business  
23 licensing requirements, and health and safety requirements. ~~((Nothing~~  
24 ~~in chapter 181, Laws of 2011 is intended to limit the authority of~~  
25 ~~counties to impose zoning requirements or other conditions upon~~  
26 ~~licensed dispensers, so long as such requirements do not preclude the~~  
27 ~~possibility of siting licensed dispensers within the jurisdiction. If~~  
28 ~~the jurisdiction has no commercial zones, the jurisdiction is not~~  
29 ~~required to adopt zoning to accommodate licensed dispensers.))~~

30 NEW SECTION. **Sec. 10.** (1) The liquor control board must study and  
31 provide recommendations on the feasibility of the liquor control board  
32 issuing a medical cannabis authorization card that would be used as  
33 valid documentation for qualifying patients and their designated  
34 providers. The study should include a timetable for current qualifying  
35 patients and their designated providers to transition from valid  
36 documentation issued on tamper-resistant paper to the liquor control

1 board issued card. The study should include protections for the card  
2 to ensure that it cannot be duplicated or altered, that the card would  
3 identify qualifying patients and distinguish them from other persons  
4 legally using marijuana in this state, and suggested renewal periods  
5 for the medical cannabis authorization card. The liquor control board  
6 must report their findings to the health care committees of the senate  
7 and house of representatives by December 1, 2013.

8 (2) This section expires December 31, 2013.

9 NEW SECTION. **Sec. 11.** RCW 69.51A.043 (Failure to register--  
10 Affirmative defense) and 2011 c 181 s 402 are each repealed.

--- END ---