
HOUSE BILL 2116

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Appleton, Fitzgibbon, Pollet, Roberts, and Farrell

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1 AN ACT Relating to reducing the penalty for possession of
2 controlled substances; amending RCW 9.94A.518 and 69.50.4013; and
3 repealing RCW 69.50.4014.

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

5 **Sec. 1.** RCW 9.94A.518 and 2003 c 53 s 57 are each amended to read
6 as follows:

7

8 TABLE 4

9 DRUG OFFENSES

10 INCLUDED WITHIN EACH

11 SERIOUSNESS LEVEL

12 III Any felony offense under chapter 69.50

13 RCW with a deadly weapon

14 special verdict under RCW

15 ~~((9.94A.602))~~ 9.94A.825

1 Controlled Substance Homicide (RCW
2 69.50.415)
3 Delivery of imitation controlled
4 substance by person eighteen or
5 over to person under eighteen
6 (RCW 69.52.030(2))
7 Involving a minor in drug dealing
8 (RCW 69.50.4015)
9 Manufacture of methamphetamine
10 (RCW 69.50.401(2)(b))
11 Over 18 and deliver heroin,
12 methamphetamine, a narcotic from
13 Schedule I or II, or flunitrazepam
14 from Schedule IV to someone
15 under 18 (RCW 69.50.406)
16 Over 18 and deliver narcotic from
17 Schedule III, IV, or V or a
18 nonnarcotic, except flunitrazepam
19 or methamphetamine, from
20 Schedule I-V to someone under 18
21 and 3 years junior (RCW
22 69.50.406)
23 Possession of Ephedrine,
24 Pseudoephedrine, or Anhydrous
25 Ammonia with intent to
26 manufacture
27 methamphetamine (RCW
28 69.50.440)
29 Selling for profit (controlled or
30 counterfeit) any controlled
31 substance (RCW 69.50.410)
32 II Create, deliver, or possess a counterfeit
33 controlled substance (RCW
34 69.50.4011)
35 Deliver or possess with intent to deliver
36 methamphetamine (RCW
37 69.50.401(2)(b))

1 Delivery of a material in lieu of a
2 controlled substance (RCW
3 69.50.4012)
4 Maintaining a Dwelling or Place for
5 Controlled Substances (RCW
6 69.50.402(1)(f))
7 Manufacture, deliver, or possess with
8 intent to deliver amphetamine
9 (RCW 69.50.401(2)(b))
10 Manufacture, deliver, or possess with
11 intent to deliver narcotics from
12 Schedule I or II or flunitrazepam
13 from Schedule IV (RCW
14 69.50.401(2)(a))
15 Manufacture, deliver, or possess with
16 intent to deliver narcotics from
17 Schedule III, IV, or V or
18 nonnarcotics from Schedule I-V
19 (except marijuana, amphetamine,
20 methamphetamines, or
21 flunitrazepam) (RCW
22 69.50.401(2) (c) through (e))
23 Manufacture, distribute, or possess with
24 intent to distribute an imitation
25 controlled substance (RCW
26 69.52.030(1))
27 I Forged Prescription (RCW 69.41.020)
28 Forged Prescription for a Controlled
29 Substance (RCW 69.50.403)
30 Manufacture, deliver, or possess with
31 intent to deliver marijuana (RCW
32 69.50.401(2)(c))
33 ~~((Possess Controlled Substance that is a~~
34 ~~Narcotic from Schedule III, IV, or~~
35 ~~V or Nonnarcotic from Schedule I-V (RCW 69.50.4013)~~
36

1 Possession of Controlled Substance

2 that is either heroin or narcotics

3 from Schedule I or II (RCW

4 69.50.4013)))

5 Unlawful Use of Building for Drug

6 Purposes (RCW 69.53.010)

7 **Sec. 2.** RCW 69.50.4013 and 2013 c 3 s 20 (Initiative Measure No.
8 502) are each amended to read as follows:

9 (1) It is unlawful for any person to possess a controlled substance
10 unless the substance was obtained directly from, or pursuant to, a
11 valid prescription or order of a practitioner while acting in the
12 course of his or her professional practice, or except as otherwise
13 authorized by this chapter.

14 (2) (~~Except as provided in RCW 69.50.4014,~~) Any person who
15 violates this section is guilty of a (~~class C felony~~) misdemeanor
16 punishable under chapter 9A.20 RCW.

17 (3) The possession, by a person twenty-one years of age or older,
18 of useable marijuana or marijuana-infused products in amounts that do
19 not exceed those set forth in RCW 69.50.360(3) is not a violation of
20 this section, this chapter, or any other provision of Washington state
21 law.

22 NEW SECTION. **Sec. 3.** RCW 69.50.4014 (Possession of forty grams or
23 less of marihuana--Penalty) and 2003 c 53 s 335 are each repealed.

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