On April 24, 2015, Governor Jay Inslee signed into law SB 5052, the cannabis patient protection act. The act establishes a medical marijuana oversight body, guidance for rules and regulation, licensing, and defines cooperatives and personal grows. The law has various enactment dates over the course of the next year and a half.

**Oversight**

SB 5052 establishes the Liquor Control Board as the regulatory agency overseeing medical marijuana, and renames the board the Liquor and Cannabis Board (LCB).

**Regulation**

Medical use of marijuana is regulated through the same structure as provided through Initiative 502 (legalization of recreational marijuana). The LCB shall adopt comprehensive rules and regulations similar to that of the recreational market to regulate the medical marijuana market.

To qualify for the “medical use” of marijuana, the terminal or debilitating conditions must be severe enough to significantly interfere with activities of daily living and must be able to be objectively assessed and evaluated.

A voluntary medical marijuana authorization database is created. Qualifying patients and designated providers who do not sign up for the database may grow marijuana for their medical use but are limited to four plants and six ounces of useable marijuana. They are provided an affirmative defense to charges of violating the law on medical use of marijuana.

Those who do register in the database may grow up to 15 plants for medical use, are provided arrest protection, and may possess a combination of the following:

- Forty-eight ounces of marijuana-infused product in solid form;
- Three ounces of useable marijuana;
- Two hundred sixteen ounces of marijuana-infused product in liquid form; or
- Twenty-one grams of marijuana concentrates.

**Licensing**

Marijuana retail establishments may apply for a medical marijuana endorsement through the LCB. The endorsement may be issued concurrently with the retail license and medical marijuana–endorsed stores must carry products identified by the Department of Health (DOH) as beneficial to medical marijuana patients.

DOH must also adopt safe handling requirements for all marijuana products to be sold by endorsed stores and must adopt training requirements for retail employees.

The LCB must reopen the license period for retail stores and allow for additional licenses to be issued in order to address the needs of the medical market. The LCB must establish a merit based system for issuing retail licenses.

- First priority must be given to applicants that have applied for a marijuana retailer license before July 1, 2014, and who have operated or been employed by a collective garden before November 6, 2012.
- Second priority must be given to applicants who were operating or employed by a collective garden before November 6, 2012 but who have not previously applied for a marijuana license.

**Use by minors**

Minors may be authorized for the medical use of marijuana if the minor’s parent or guardian agrees to the authorization. The parent or guardian must have sole control over the minor’s marijuana. Minors may not grow marijuana, nor may they purchase from a retailer, but they may enter the premises of a medical marijuana retailer if they are accompanied by their parent or guardian who is serving as the designated provider. Patients who are between ages 18 and 21 may enter medical marijuana retail outlets.

**Cooperatives and personal grows**

Those who are registered in the medical marijuana database may grow marijuana in their domicile. No more than 15 plants may be grown in a housing unit, unless the housing unit is the location of a cooperative. No plants may be grown or processed if any portion of the activity may be viewed or smelled by the public or the private property of another housing unit.
The provision authorizing collective gardens is repealed, effective July 1, 2016. In their place, four member cooperatives are permitted. A maximum of 60 plants (15 plants x 4 members) may be grown at the cooperative location.

Qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative. No more than four qualifying patients or designated providers may become members of a cooperative under this section and all members must hold valid recognition cards. All members of the cooperative must be at least 21 years old. The designated provider of a qualifying patient who is under 21 years old may be a member of a cooperative on the qualifying patient's behalf.

Cooperatives may not be located within one mile of a marijuana retailer and they must be registered with the LCB.

If a member of the cooperative leaves, he or she must notify the LCB within 15 days of the date he/she ceases participation. Additional qualifying patients or designated providers may not join the cooperative until 60 days has passed.

Cooperatives may not sell, donate or otherwise provide marijuana to a person not participating in the cooperative.

The location of the cooperative must be a domicile of one of the participants. Only one cooperative may located per domicile.

The LCB may adopt rules regulating cooperatives, including a seed to sale traceability model that is similar to the model in the recreational market.

The LCB or law enforcement may inspect a cooperative.

**Local authority**
Cities, towns, counties, and other municipalities may create and enforce civil penalties, including abatement procedures, for the growing or processing of marijuana and for keeping marijuana plants beyond or otherwise not in compliance with the rules and regulations of cooperatives.

**Enactment**
**July 24, 2015, except for the following:**

**Immediately:**
- Contracting with an entity to create, administer and maintain the patient database.
- Exempting disclosure of records in the database, including patient names and personally identifiable information.
- The LCB conducting controlled purchase programs to ensure marijuana is not being sold to minors, minors are not selling marijuana in retail and medical establishments and whether collective gardens and cooperatives are providing minors with marijuana.

**July 1, 2016**
- Minors, between the ages of 18-20, with recognition cards may begin buying medical marijuana.
- The amount of marijuana medical patients may acquire goes into effect.
- Health care professionals may begin authorizing qualifying patients under the age of 18 to use medical marijuana. Their parent or guardian shall act as their designated provider.
- Various provisions related to the security of the medical marijuana authorization database.
- Criminal protections for the medical use of marijuana.
- Group cooperatives are allowed.
- Collective gardens are eliminated.
- Allowing minors who are eligible to consume medical marijuana on school grounds.