

Initiative Measure No. 1440 filed January 27, 2016

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: I-3134.1/16

ATTY/TYPIST: KS:amh

BRIEF DESCRIPTION:

AN ACT Relating to public health and safety with cannabis growers, producers, and retailers; adding a new section to chapter 69.50 RCW and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** (1) The people intend to maintain health and safety, prevent the disruption of vital utility services, and prevent the unlawful theft of utilities such as power and water that are essential for cannabis grow operations by enacting this measure.

(2) The production, processing, and sale of cannabis is not allowed in residential zoned neighborhoods.

(3) The prohibition in this section does not apply to products approved by the United States food and drug administration for consumer use.

NEW SECTION. **Sec. 2.** Section 1 of this act constitutes a new section to chapter 69.50 RCW.

(1) Definitions for the purposes of this section:

(a) "Bypass" means the taking of power or water and term most often used by police authority during a marijuana raid to describe the unlawful tapping into or diverting of a utility source by marijuana grow house owners.

(b) "Power meter" means a utility that monitors usage and is most often attached to the side of a building as a way to measure the usage of electrical power.

(c) "Real property" means all property that is permanently attached to or part of land or any structure that is affixed with the land.

(d) "Seller disclosure environmental" means that the seller must fully disclose to the buyer if the residential zoned real property's power utility has any history of growing or manufacturing cannabis in any form.

(2) The prohibition in subsection (1) of this section does not apply to products approved by the United States food and drug administration for consumer use.

NEW SECTION. **Sec. 3.** The provisions in this act are to be liberally construed to effectuate the policies, purposes, and intent of this act.

NEW SECTION. **Sec. 4.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 5.** This act may be known and cited as the "cannabis not next door initiative."

NEW SECTION. **Sec. 6.** This act takes effect January 1, 2017.

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