AN ACT Relating to electricity and toxin safety concerning marijuana and hemp production, processing, and sales in residential zoned neighborhoods; adding a new section to chapter 69.50 RCW; creating new sections; prescribing penalties; and providing an effective date.

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

NEW SECTION. Sec. 1. The people intend to limit toxin exposure, prevent the disruption of vital utility services, and prevent the unlawful theft of utilities such as electricity and water that are essential for marijuana and cannabis grow operations.

NEW SECTION. Sec. 2. A new section is added to chapter 69.50 RCW to read as follows:

(1) The production, processing, or sale of marijuana and hemp is unlawful in residential zoned neighborhoods.

(2) This section applies to marijuana and hemp tetrahydrocannabinol, cannabinol, and cannabidoil products whether or not they are approved by the United States food and drug administration for consumer use.

(3) Anyone found to be in violation of the zoning laws for marijuana and hemp production, processing, or sales is subject to total confiscation of the property according to existing federal, state, and local laws. The violation is a class C felony punishable under chapter 9A.20 RCW and RCW 9A.82.100. A real property owner found in violation of this section is subject to a penalty of forfeiture and seizure of the deed or title to the property, or both. The forfeiture includes all homeowners in violation of the laws governing appropriate zoning for marijuana and hemp. The burden of screening any tenant with intent to occupy and conduct unlawful marijuana and hemp activities on the real property rests upon the
legal owner of the real property, regardless of who has residency under the lease or rental agreement at the time law enforcement reports the violation.

(4) The definitions in this subsection apply throughout this section and section 1 of this act unless the context clearly requires otherwise.

(a) "Forfeiture and seizure" means loss of legal title as consequence to the violation of this chapter.

(b) "Hemp" has the meaning provided for "industrial hemp" in RCW 15.120.010(3).

(c) "Tetrahydrocannabinol" means either of two physiologically active isomers C21H30O2 from hemp plant resin; the chief intoxicant in marijuana.

(d) "Toxin" means the residual chemicals or mold absorbed within the sheetrock or wood or construction materials that occur during irrigation or treatment of marijuana and hemp.

(e) "Marijuana" has the meaning provided for recreation and medical use derivatives of the genera cannabis that meet the definition of "marijuana" as defined in RCW 69.50.101.

(f) "Cannabis" means the dried tops of hemp plants (cannabis sativa), which have euphoric principles (tetrahydrocannabinols); classified as a hallucinogen.

NEW SECTION.  Sec. 3. Sections 1 through 6 of this act must be liberally construed to carry out 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/cannabis crime-shredder act.
NEW SECTION. Sec. 6. This act takes effect January 1, 2020.

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