

Initiative Measure No. 1670

Filed May 15, 2019

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: I-3669.1/19

ATTY/TYPIST: KB:akl

BRIEF DESCRIPTION:

AN ACT Relating to electricity and toxin safety concerning cannabis, 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, cannabis or hemp 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, cannabis or hemp is unlawful in residential zoned neighborhoods.

(2) This section applies to marijuana, cannabis or hemp tetrahydrocannabinol, cannabinol, and cannabidoil products whether or not they are approved by the United States Department of Health

and Human Services or (FDA) food and drug administration or Department of Agriculture for consumer use.

(3) Anyone found to be in violation of the zoning laws for marijuana, cannabis or 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, cannabis or hemp. The burden of screening any tenant with intent to occupy and conduct unlawful marijuana, cannabis or 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. Anyone found to be funneling currency or anything in trade to terror organizations that result from the sale and production of marijuana, cannabis or hemp is subject to life in prison. Moreover, the legal owner of the real property may also serve life in prison for any and all liability resulting from dereliction of proper screening the tenant and terrorist.

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

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

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

(c) "Hemp" has the meaning provided for "hemp and industrial hemp" in RCW 15.120 (sections 1-19, specific to E2SSB 5276 approved by Governor April 26, 2019).

(d) "Terror" means ANY method of harassment with the intent to cause mental or physical injury or death for the purpose of advancing the organization financially for its own destructive agenda.

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

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

NEW SECTION. **Sec. 3.** This act must be liberally construed to carry out its policies, purposes, and intent.

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 act.

NEW SECTION. **Sec. 6.** This act takes effect January 1, 2020.

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