

SENATE BILL REPORT

SB 6133

As Reported by Senate Committee On:
Law & Justice, January 30, 2024

Title: An act relating to deterring robberies from cannabis retail establishments.

Brief Description: Deterring robberies from cannabis retail establishments.

Sponsors: Senators McCune, Keiser and Padden.

Brief History:

Committee Activity: Law & Justice: 1/29/24, 1/30/24 [DP, w/oRec].

Brief Summary of Bill

- Creates a 12-month sentence enhancement for individuals convicted of robbery in the first or second degree of a cannabis retail outlet.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; Kuderer, McCune, Pedersen, Torres, Valdez, Wagoner and Wilson, L..

Minority Report: That it be referred without recommendation.

Signed by Senator Salomon.

Staff: Joe McKittrick (786-7287)

Background: Retail Cannabis. In 2012, Washington voters approved Initiative 502 which removed criminal and civil penalties for the use and possession of a limited amount of cannabis by a person 21 years old or older. Though the law does not allow for personal cultivation of cannabis, it does allow for business, regulated by the Washington State Liquor and Cannabis Board, to sell cannabis and cannabis infused products to the adult

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

public. In 2023, the Liquor and Cannabis Board reported there are 476 licensed cannabis retailers throughout Washington. Due to federal banking regulations, these retailers are required to conduct transactions only in cash, making cannabis retail stores attractive targets for crime.

Crimes Related to Retail Cannabis Outlets. A person commits the crime of robbery in the second degree, a class B felony, if the person unlawfully takes personal property from the person of another or in their presence against their will by the use or threatened use of immediate force, violence, or fear of injury to that person or their property or the person or property of another. If, in the commission of the robbery or in the process of fleeing the robbery, the person is armed with a deadly weapon, displays what appears to be a deadly weapon, or inflicts bodily injury, the crime is elevated to robbery in the first degree. A person with no relevant criminal history would face a standard sentencing range of three to nine months in prison if convicted of robbery in second degree and 31 to 41 months if convicted of robbery in the first degree. If it is plead and proven that the person committed a robbery of a pharmacy, an additional 12 months must be added to the sentence.

Summary of Bill: A 12-month sentence enhancement is created for individuals convicted of robbery in the first or second degree of a cannabis retail outlet. For the enhancement to apply, it must be plead and proven that the cannabis retail outlet is licensed according to state law and an individual used a vehicle to damage or gain access to the retail outlet, or the individual committed the robbery in concert with one or more other persons.

Appropriation: None.

Fiscal Note: Requested on January 26, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: There is a wave of crime against cannabis stores and is very costly to store owners. Many of these businesses are victimized by crime multiple times per month. These crimes are made worse when the perpetrators use a vehicle to smash through the store. This bill will protect these businesses and their employees. These businesses are particularly vulnerable to crime because they are all-cash businesses. Because of the unique nature of these businesses, we need a unique response, which this bill provides. These types of crime can cause hundreds of thousands of dollars in damage and losses to cannabis businesses. Often the people who commit these crimes do so multiple times. This will help the cannabis industry address this issue. These types of robberies happen on a weekly basis in Washington. The portion of this bill concerning reporting and tracking is essential to reducing the effects of these crimes on cannabis businesses.

Persons Testifying: PRO: Senator Jim McCune, Prime Sponsor; Brooke Davies,

Washington CannaBusiness Association; Amber Vaughn, Terpene Transit; Troy Peterson, Apex Cannabis.

Persons Signed In To Testify But Not Testifying: No one.