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**SUBSTITUTE HOUSE BILL 1920**

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**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** House Commerce & Gaming (originally sponsored by Representatives Condotta, Sawyer, Blake, Young, and Appleton)

1 AN ACT Relating to inspections of licensed marijuana processors'  
2 equipment and facilities; and amending RCW 69.50.450.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 69.50.450 and 2015 c 70 s 15 are each amended to  
5 read as follows:

6 (1) Nothing in this chapter permits anyone other than a validly  
7 licensed marijuana processor to use butane or other explosive gases  
8 to extract or separate resin from marijuana or to produce or process  
9 any form of marijuana concentrates or marijuana-infused products that  
10 include marijuana concentrates not purchased from a validly licensed  
11 marijuana retailer as an ingredient. The extraction or separation of  
12 resin from marijuana, the processing of marijuana concentrates, and  
13 the processing of marijuana-infused products that include marijuana  
14 concentrates not purchased from a validly licensed marijuana retailer  
15 as an ingredient by any person other than a validly licensed  
16 marijuana processor each constitute manufacture of marijuana in  
17 violation of RCW 69.50.401. Cooking oil, butter, and other  
18 nonexplosive home cooking substances may be used to make marijuana  
19 extracts for noncommercial personal use.

1 (2) Except for the use of butane, the state liquor and cannabis  
2 board may not enforce this section until it has adopted the rules  
3 required by RCW 69.51A.270.

4 (3)(a) Any inspection of or approval of a marijuana processor's  
5 professional closed loop systems, equipment, extraction operation, or  
6 facilities to ensure compliance with applicable fire, safety, or  
7 building code requirements that must be performed by a local fire  
8 code official pursuant to state liquor and cannabis board rule may,  
9 instead, be performed by the director of fire protection or designee,  
10 if the marijuana processor requests that the local fire code official  
11 perform the inspection or approval described in (a) of this  
12 subsection and thirty calendar days after the date of the request the  
13 local fire code official has not performed the inspection or  
14 approval. In addition to the requirements of this chapter, all  
15 electrical wiring and equipment must conform to chapter 19.28 RCW  
16 requirements for electrical safety to life and property including,  
17 but not limited to, electrical contractor licensing, electrician  
18 certification, and electrical permitting and inspection.

19 (b) If an inspection or approval described in (a) of this  
20 subsection is performed by the director of fire protection or  
21 designee, the county, city, or town in which the licensee is located  
22 shall reimburse the director of fire protection or designee, as  
23 appropriate, for the costs of performing the inspection or approval  
24 within thirty calendar days of receiving a request for reimbursement.

25 (c) Nothing in this subsection (3) requires a local fire code  
26 official or the director of fire protection or designee to approve of  
27 a marijuana processor's professional closed loop systems, equipment,  
28 extraction operation, or facilities if the systems, equipment,  
29 operation, or facilities is not in compliance with applicable fire,  
30 safety, or building code requirements.

31 (d) For purposes of this subsection (3), "director of fire  
32 protection" means the director of fire protection described in RCW  
33 43.43.938.

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