
HOUSE BILL 1933

State of Washington

67th Legislature

2022 Regular Session

By Representatives Wicks and Eslick

1 AN ACT Relating to authorizing smaller local governments with a
2 scarcity of manufacturing and industrial lands to establish a tax on
3 cannabis producers and processors; and adding a new chapter to Title
4 82 RCW.

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

6 NEW SECTION. **Sec. 1.** (1) The governing body of a county, city,
7 or town with a scarcity of manufacturing and industrial lands, as
8 described in subsection (2)(c) of this section, may by resolution or
9 ordinance impose an excise tax on marijuana producers and processors
10 licensed pursuant to RCW 69.50.325. The tax may be imposed on
11 producers and processors operating within their jurisdiction. The
12 excise tax rate must be equivalent to one percent, or less, of the
13 marijuana producer, processor, or producer and processor's gross
14 receipts from sales of marijuana and marijuana products authorized in
15 chapter 69.50 RCW.

16 (2) Only counties, cities, and towns that meet the requirements
17 of (a) through (c) of this subsection may establish a tax pursuant to
18 this section:

19 (a) For a county, city, or town seeking to establish a tax
20 pursuant to this section, the population of the county, city, or town
21 must be no more than 50,000 based on the most recent published

1 estimates of the office of financial management as of January 1,
2 2022.

3 (b) The county, city, or town's zoning or land use ordinances
4 must permit licensed marijuana producers and processors operating in
5 accordance with chapter 69.50 RCW to be sited and operate within the
6 jurisdiction.

7 (c) The county, city, or town must have a scarcity of
8 manufacturing and industrial lands evidenced by the county, city, or
9 town demonstrating that it meets at least one of the following
10 criteria:

11 (i) No area within the county, city, or town is designated as a
12 manufacturing and industrial center or employment center by a
13 regional planning authority;

14 (ii) Reviews or evaluations conducted pursuant to RCW 36.70A.215
15 indicate the amount of industrial land in the jurisdiction is in the
16 bottom quartile with respect to the amount of industrial land in all
17 jurisdictions for which data obtained in accordance with RCW
18 36.70A.215 is available; or

19 (iii) The percentage of total employment within the county, city,
20 or town classified as industrial employment is no greater than 20
21 percent of total employment.

22 (3) A county ordinance authorized under this section does not
23 apply to marijuana producers and processors located within an
24 incorporated city or town within the county.

25 (4) For purposes of this section, "industrial employment" means
26 jobs in the industrial sector of the economy primarily including,
27 construction, manufacturing, resource industries, transportation,
28 utilities, warehousing, and wholesale trade.

29 NEW SECTION. **Sec. 2.** Section 1 of this act constitutes a new
30 chapter in Title 82 RCW.

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