

CERTIFICATION OF ENROLLMENT  
**SECOND SUBSTITUTE HOUSE BILL 2151**

68th Legislature  
2024 Regular Session

Passed by the House February 12, 2024  
Yeas 96 Nays 1

---

**Speaker of the House of  
Representatives**

Passed by the Senate February 28,  
2024  
Yeas 49 Nays 0

---

**President of the Senate**

Approved

---

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 2151** as passed by the House of Representatives and the Senate on the dates hereon set forth.

---

**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

---

**SECOND SUBSTITUTE HOUSE BILL 2151**

---

Passed Legislature - 2024 Regular Session

**State of Washington                      68th Legislature                      2024 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Reeves, Chapman, and Kloba; by request of Department of Agriculture)

READ FIRST TIME 02/05/24.

1            AN ACT Relating to reassigning the accreditation of private  
2 cannabis testing laboratories from the department of ecology to the  
3 department of agriculture; reenacting and amending RCW 69.50.348;  
4 creating a new section; repealing RCW 43.21A.736; providing an  
5 effective date; and declaring an emergency.

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

7            NEW SECTION.    **Sec. 1.**    (1) By July 1, 2024, the department of  
8 agriculture must, in consultation with the liquor and cannabis board,  
9 adopt rules to implement section 2, chapter 277, Laws of 2019.

10            (2) The department of agriculture is authorized to use expedited  
11 rule making as authorized in chapter 34.05 RCW, the administrative  
12 procedure act, in order to implement subsection (1) of this section  
13 by July 1, 2024.

14            **Sec. 2.**    RCW 69.50.348 and 2022 c 135 s 6 and 2022 c 16 s 68 are  
15 each reenacted and amended to read as follows:

16            (1) On a schedule determined by the board, every licensed  
17 cannabis producer and processor must submit representative samples of  
18 cannabis, useable cannabis, or cannabis-infused products produced or  
19 processed by the licensee to an independent, third-party testing  
20 laboratory meeting the accreditation requirements established by the

1 state department of ~~((ecology))~~ agriculture. The purpose of testing  
2 representative samples is to certify compliance with quality  
3 assurance and product standards adopted by the board under RCW  
4 69.50.342 or the department of health under RCW 69.50.375. In  
5 conducting tests of cannabis product samples, testing laboratories  
6 must adhere to laboratory quality standards adopted by the state  
7 department of agriculture under chapter 15.150 RCW. Any sample  
8 remaining after testing shall be destroyed by the laboratory or  
9 returned to the licensee submitting the sample.

10 (2) Independent, third-party testing laboratories performing  
11 cannabis product testing under subsection (1) of this section must  
12 obtain and maintain accreditation.

13 (3) Licensees must submit the results of inspection and testing  
14 for quality assurance and product standards required under RCW  
15 69.50.342 to the board on a form developed by the board.

16 (4) If a representative sample inspected and tested under this  
17 section does not meet the applicable quality assurance and product  
18 standards established by the board then, except as otherwise provided  
19 by the board in rule, the entire lot from which the sample was taken  
20 must be destroyed.

21 (5) ~~((a))~~ The department of ~~((ecology))~~ agriculture may  
22 determine, assess, and collect annual fees ~~((sufficient))~~  
23 ~~((cover))~~ support the direct and indirect costs of implementing a  
24 state cannabis product testing laboratory accreditation program and  
25 laboratory quality standards program, except for the initial program  
26 development costs. ~~((The department of ecology must develop a fee~~  
27 ~~schedule allocating the costs of the accreditation program among its~~  
28 ~~accredited cannabis product testing laboratories.))~~ The department of  
29 ~~((ecology))~~ agriculture may establish a payment schedule requiring  
30 periodic installments of the annual fee. ~~((The fee schedule must be~~  
31 ~~established in amounts to fully cover, but not exceed, the~~  
32 ~~administrative and oversight costs.))~~ The department of ~~((ecology))~~  
33 agriculture must review and update its fee schedule biennially. The  
34 costs of cannabis product testing laboratory accreditation are those  
35 incurred by the department of ~~((ecology))~~ agriculture in  
36 administering and enforcing the accreditation program. The costs may  
37 include, but are not limited to, the costs incurred in undertaking  
38 the following accreditation functions:

39 ~~((i))~~ (a) Evaluating the protocols and procedures used by a  
40 laboratory;

1           ~~((iii))~~ (b) Performing on-site audits;  
2           ~~((iii))~~ (c) Evaluating participation and successful completion  
3 of proficiency testing;  
4           ~~((iv))~~ (d) Determining the capability of a laboratory to  
5 produce accurate and reliable test results; and  
6           ~~((v))~~ (e) Such other accreditation activities as the department  
7 of ~~(ecology)~~ agriculture deems appropriate.  
8           ~~((b) The state cannabis product testing laboratory accreditation  
9 program initial development costs must be fully paid from the  
10 dedicated cannabis account created in RCW 69.50.530.)~~  
11           (6) The department of ~~(ecology)~~ agriculture and the interagency  
12 coordination team created in RCW 15.150.020 must act cooperatively to  
13 ensure effective implementation and administration of this section.  
14           (7) All fees collected under this section must be deposited in  
15 the dedicated cannabis account created in RCW 69.50.530.

16           NEW SECTION.   **Sec. 3.**   RCW 43.21A.736 (Cannabis product testing—  
17 Fees—Rules) and 2019 c 277 s 5 are each repealed.

18           NEW SECTION.   **Sec. 4.**   Section 2 of this act takes effect July 1,  
19 2024.

20           NEW SECTION.   **Sec. 5.**   Sections 1 and 3 of this act are necessary  
21 for the immediate preservation of the public peace, health, or  
22 safety, or support of the state government and its existing public  
23 institutions, and take effect immediately.

--- END ---