

SENATE COMMITTEE SERVICES

**BILLS PASSED**

**DURING THE 2015 SECOND SPECIAL LEGISLATIVE SESSION  
(INCLUDES GOVERNOR'S ACTIONS THRU OF JULY 9, 2015)**

LISTED BY SENATE COMMITTEE



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July 23, 2015



TO: Senators and Legislative Staff

FROM: Susan D. Howson, Director (786-7401)  
Senate Committee Services

SUBJECT: Preliminary Report on Bills Passed During the 2015 Second Special Legislative Session

DATE: July 23, 2015

We are pleased to provide you this preliminary edition of our summary of "Bills Passed During the 2015 Second Special Legislative Session, by Committee of Origin." This report includes a brief description of each Senate and House bill passed by the 2015 Legislature. The final Second Special Session Report can be found at <http://www.leg.wa.gov/SENATE/COMMITTEES/Pages/default.aspx>.

You will find that bills are listed under their committee of origin in the Senate. This report also includes a bill index at the end of the report.

It was a pleasure to serve you, and we hope you find this report useful. Please feel free to contact me or any of our staff if you have any questions or need any further information or assistance.



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## COMMERCE & LABOR

786-7426

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**SB 5051: CLARIFYING TRANSPORTATION AND DELIVERY SERVICES FOR MARIJUANA PRODUCERS, MARIJUANA PROCESSORS, AND MARIJUANA RETAILERS**

*Prime Sponsor: Senator Hatfield*

*\*SB 5051 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**SB 5130: RESTRICTING MARIJUANA PRODUCER AND PROCESSOR BUSINESSES FROM BEING LOCATED IN CERTAIN RESIDENTIAL AND RURAL AREAS**

*Prime Sponsor: Senator Pearson*

*\*SB 5130 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**SSB 5398: CONCERNING MARIJUANA, USEABLE MARIJUANA, AND MARIJUANA-INFUSED PRODUCTS IN PUBLIC**

*Prime Sponsor: Senator Rivers*

*(HB 1360 Representative Moscoso)*

*\*SSB 5398 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**SB 5401: ALLOWING THE WASHINGTON STATE LIQUOR CONTROL BOARD TO ACCEPT DONATIONS FOR FUNDING INFORMATIONAL MATERIAL FOR THE PURPOSE OF IMPROVING PUBLIC AWARENESS ABOUT MARIJUANA CONSUMPTION.**

*Prime Sponsor: Senator Rivers*

*(HB 1361 Representative Hudgins)*

*\*SB 5401 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**SB 5467: PROVIDING A SINGLE POINT OF EXCISE TAXATION ON SALES OF RECREATIONAL MARIJUANA**

*Prime Sponsor: Senator Hatfield*

*\*SB 5467 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**SB 5493: DISTINGUISHING CANNABIS HEALTH AND BEAUTY AIDS FROM MARIJUANA**

*Prime Sponsor: Senator Kohl-Welles*

*(HB 1753 Representative Ryu)*

*\*SB 5493 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**SB 5519: ENACTING THE COMPREHENSIVE MARIJUANA REFORM ACT**

*Prime Sponsor: Senator Kohl-Welles*

*\*SB 5519 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**SB 5572: CONCERNING THE SALES, DISTRIBUTION, AND DELIVERY OF MARIJUANA**

*Prime Sponsor: Senator Kohl-Welles*

*\*SB 5572 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**ESB 5673: CONCERNING THE DISTRIBUTION OF SYNTHETIC CANNABINOIDS AND BATH SALTS**

*Prime Sponsor: Senator Padden*

*\*ESB 5673 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**SB 5903: RESTRICTING CERTAIN METHODS OF SELLING MARIJUANA**

*Prime Sponsor: Senator Bailey*

*\*SB 5903 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**ESSB 6062: CONCERNING MARIJUANA REGULATIONS**

*Prime Sponsor: Senator Hill*

*\*ESSB 6062 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**SB 6136: CONCERNING COMPREHENSIVE MARIJUANA MARKET REFORMS TO ENSURE A WELL-REGULATED AND TAXED MARIJUANA MARKET IN WASHINGTON STATE**

*Prime Sponsor: Senator Rivers*

*\*SB 6136 was not enacted, but the provisions are substantially similar to those in 2E2SHB 2136.*

**2E2SHB 2136: CONCERNING COMPREHENSIVE MARIJUANA MARKET REFORMS TO ENSURE A WELL-REGULATED AND TAXED MARIJUANA MARKET IN WASHINGTON STATE**

*Prime Sponsor: Representative Carlyle.*

*(Near Companion SB 6136 Senator Rivers)*

*\*Passed during the Second Special Legislative Session*

*\*Signed by the Governor*

*\*SSB 5417, SB 5467 & ESSB 6062 were not enacted, but the provisions are similar as described below:*

- Eliminates the 25 percent producer and processor taxes and increases the 25 percent retailer tax to 37 percent and specifies that the taxes are levied on the buyer.
- Provides \$12 million per biennium for cities and counties for fiscal years 2016 & 2017. Counties with marijuana bans are not eligible for distributions. City and town distributions are ratable on the basis of total marijuana sales.
- Provides marijuana tax revenues for local jurisdictions, distributed based on retail sales and population, at an annual cap of \$15 million for fiscal years 2018 and 2019, and \$20 million per year thereafter. Limits distributions to jurisdictions that allow marijuana businesses.
- Modifies the amounts specified for the Liquor Control Board (LCB), the Department of Social and Health Services, the Department of Health, University of Washington, Washington State University, Basic Health Plan, Health Care Authority, and Superintendent of Public Instruction from the Dedicated Marijuana Account.
- Provides a sales and use tax exemption to qualifying patients and designated providers.

*\*SSB 5130 was not enacted, but the provisions are similar as described below:*

- Provides that cities, towns, and counties may prohibit marijuana producers or processors from operating or locating in areas zoned primarily for residential use or rural use with a five-acre minimum lot size or smaller.
- Increases the residency requirement for all marijuana licensees from three months to six months of residency.

*\*SSB 5398 is incorporated in its entirety as described below:*

- Consuming or opening marijuana or marijuana products are prohibited in a "public place" and "in view of the general public."

*\*SSB 5051, SB 5519 & SB 5572 were not enacted, but the provisions are similar as described below:*

- Allows a marijuana business to use a common carrier to transport marijuana between licensed businesses if the carrier is licensed by the LCB.

*\*SB 5401 is incorporated in its entirety as described below:*

- Authorizes the LCB to accept donations or grants for improving public awareness of the health risks associated with use of marijuana by youth and adults.

*\*SB 5493 was not enacted, but the provisions are similar as described below:*

- Exempts cannabis health and beauty aids from all regulations in the Controlled Substances Act pertaining to marijuana.
- Includes signage requirements for a marijuana business to be placed outside the prospective business location notifying the public prior to the business becoming operational.
- Allows local governments to adopt ordinances requiring individual notice to specific entities when an applicant applies for a marijuana license.
- Adds buffer limitations to the location of medical marijuana cooperatives.
- Exempts cooperative registration information from disclosure under the Public Records Act.

*\*ESB 5673 was not enacted, but the provisions are similar as described below:*

- Addresses the illegal distribution, manufacture, or sales of synthetic cannabinoids and bath salts.
- \*SB 5903 was not enacted, but the provisions are similar as described below:*
- Prohibits marijuana sales at drive-through facilities and through the use of vending machines.
  - Makes it a felony to maintain or operate a marijuana club or a public place where marijuana is held, stored, or consumed.
  - Modifies the distribution of the marijuana research license issuance fees. Clarifies the provisions relating to research entities licensed by a tribe.
  - Authorizes public universities to contract for marijuana research with federally recognized Indian tribes licensed to conduct marijuana research.

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# GOVERNMENT OPERATIONS & SECURITY

786-7447

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**EHB 2122: CONCERNING REAL ESTATE AS IT CONCERNS THE LOCAL GOVERNMENT AUTHORITY IN THE USE OF REAL ESTATE EXCISE TAX REVENUES AND REGULATING REAL ESTATE TRANSACTIONS**

*Prime Sponsor: Representative McBride*

*\*Signed by the Governor*

*\*SB 5585 was not enacted, but the provisions are similar as described below:*

- Allows a county or city that imposes REET I to use the greater of \$100,000 or 25 percent of available funds, not to exceed \$1 million per year, from revenues collected for maintenance of REET I capital projects if the county or city meets certain criteria.
- Provides that, if a county or city that imposes REET II meets certain criteria, the county or city may use the greater of \$100,000 or 25 percent of available funds, not to exceed \$1 million per year, from revenues collected:
  - for maintenance of REET II capital projects; and
  - for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, improvement, and maintenance of some REET I capital projects.
- Requires counties and cities to post on the Municipal Research and Services Center website any ordinance, resolution, or policy that imposes a requirement on landlords or sellers of real property to provide information to a buyer or tenant.

**EHB 2253: AMENDING STATUTORY TIMELINES GOVERNING THE ADMINISTRATION AND ORGANIZATION OF THE JOINT ADMINISTRATIVE RULES REVIEW COMMITTEE THAT PRESCRIBE WHEN MEMBER, ALTERNATE, CHAIR, AND VICE CHAIR APPOINTMENTS AND FINAL DECISIONS REGARDING PETITIONS FOR REVIEW MUST BE MADE**

*Prime Sponsor: Hudgins*

*\*Signed by the Governor*

- Modifies the time period in which the appointment of members and the chairperson and vice chairperson of the Joint Administrative Rules Review Committee (JARRC) are made.
- Updates the language regarding alternating appointments of the chairperson and vice chairperson.
- Clarifies that a committee member serves until a successor is appointed or until the member no longer serves in the Legislature, whichever occurs first.
- Requires vacancies on the committee to be filled within 30 days.
- Allows a final decision of a petitioned rule to be deferred until after adjournment of a regular or special session.
- Establishes that petitioners may bring concerns raised in a petition to the JARRC to any legislator during a legislative session, and those concerns may be addressed through legislation.

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# LAW & JUSTICE

786-7455

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## **SSB 5002: CONCERNING TRAFFIC INFRACTIONS FOR MARIJUANA, MARIJUANA-BASED SUBSTANCES, OR MARIJUANA-INFUSED SUBSTANCES**

*Prime Sponsor: Senator Rivers.*

*\* SSB 5002 is incorporated in its entirety into 2E2SHB 1276, as described below:*

- It is a traffic infraction to consume marijuana in any manner in a motor vehicle upon a highway.
- It is a traffic infraction to keep marijuana in a motor vehicle upon a highway unless it is in the trunk of the vehicle, or in an area not normally occupied, or in a sealed container that has not been opened.
- It is a traffic infraction to place marijuana in a container labelled as containing a non-marijuana substance when the container is open.

## **2E2SHB 1272: CONCERNING THE CRIME OF DISCLOSING INTIMATE IMAGES**

*Prime Sponsor: Representative Buys*

*\*Signed by the Governor*

- Establishes the crime of disclosing intimate images when the person knowingly discloses an intimate image of another person and the person disclosing the image obtained it under circumstances in which a reasonable person would know or understand that the image was to remain private; and knows or should have known that the depicted person has not consented to the disclosure.
- Provides that a person who is under the age of 18-years old must act intentionally and maliciously to commit the offense.
- Makes disclosing intimate images a gross misdemeanor on the first offense and a class C felony on the second or subsequent offense.
- Provides that an affirmative defense is available if the defendant is a family member of a minor and did not intend any harm or harassment in disclosing the images of the minor to other family or friends of the defendant.

## **2E2SHB 1276: CONCERNING IMPAIRED DRIVING**

*Prime Sponsor: Representative Klippert*

*\*Signed by the Governor/partial veto*

*\*SSB 5002 is incorporated in its entirety into 2E2SHB 1276.*

- Clarifies conditions of pretrial release involving ignition interlock devices, the 24/7 sobriety program, and electronic monitoring.
- Eliminates the statutory provision prohibiting an IID licensee from appealing an administrative decision imposing a license revocation is.
- Makes it a traffic infraction for a person to keep marijuana in a vehicle when the vehicle is upon a highway, unless it is in some area of the vehicle not normally occupied or directly accessible by the driver or passengers or in a package, container that has not been opened.
- ~~Directs the Secretary of the Department of Health to establish rules, administrative procedures, and requirements for the licensing, certification, and registration of medical assistant phlebotomists who collect blood samples for forensic testing.~~

## **ESHB 2160: CONCERNING THE DISTRIBUTION OF INTIMATE IMAGES**

*Prime Sponsor: Representative Wylie*

*\*Signed by the Governor*

- Establishes that a person is liable for distributing an intimate image of another if that person intentionally and without consent distributes, transmits, or makes available an intimate image that was entrusted to that person by another person, and the distribution of the intimate image intentionally or recklessly causes emotional distress to the other person; or was knowingly obtained by the person without authorization or by exceeding authorized access from the other person's property, accounts, messages, files, or resources.
- Authorizes the court to award up to \$10,000 or actual damages, whichever is greater, reasonable attorneys' fees, and costs. The court also may award injunctive relief.
- Makes it an affirmative defense if the defendant is a family member of a minor and did not intend to harm or harass in disclosing the images of other family members or friends of the defendant.
- Authorizes the court to allow a plaintiff to use a confidential identity.

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## TRANSPORTATION

786-7300

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**SHB 1157:    MODIFYING THE APPORTIONMENT OF QUICK TITLE SERVICE FEES COLLECTED BY APPOINTED SUBAGENTS**

*Prime Sponsor: Representative Pike*

*(SSB 5025 Senator Rivers)*

*\*Signed by the Governor*

- Allows subagents to retain \$12.50 of the existing quick title fee when process a quick title.

**SHB 1738:    CONCERNING MARINE, OFF-ROAD RECREATIONAL VEHICLE, AND SNOWMOBILE FUEL TAX REFUNDS BASED ON ACTUAL FUEL TAXES PAID**

*Prime Sponsor: Representative Orcutt*

*(SB 5617 Senator Warnick)*

*\*Signed by the Governor*

- Changes the fuel tax rate upon which transfers to non-highway accounts are calculated to the rate that is in effect beginning July 1, 2031.

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# WAYS & MEANS

786-7715

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**ESB 6092:     ADDING CERTAIN COMMISSIONED COURT MARSHALS OF  
COUNTY SHERIFF'S OFFICES TO THE DEFINITION OF  
UNIFORMED PERSONNEL FOR THE PURPOSES OF PUBLIC  
EMPLOYEES' COLLECTIVE BARGAINING**

*Prime Sponsor: Senator Roach.*

*(HB 1987 Representative Kochmar)*

*\*Signed by the Governor*

- Adds county court marshals to the list of uniformed personnel entitled to use interest arbitration under Public Employees' Collective Bargaining Act.
- Defines county court marshals as persons employed, trained, and commissioned by the county sheriff whose primary duty is maintaining law and security in county property.

**SHB 1274:     IMPLEMENTING A VALUE-BASED SYSTEM FOR NURSING HOME  
RATES**

*Prime Sponsor: Representative Cody*

*(E2SSB 5152 Senator Parlette)*

*\*Signed by the Governor*

- Continues the current payment system, including rate add-ons, into FY16.
- Delays rebase of non-capital rate components from July 1, 2015, to July 1, 2016, and repeals existing rates methodology on June 30, 2016.
- Directs the Department of Social and Health Services to facilitate a workgroup to develop recommendations for further refinements to the system and to submit a report to the Legislature by January 2016.
- Implements a new simplified rate system on July 1, 2016, that consolidates six rate components and seven add-ons into four rate components.
- Establishes a mitigation strategy over the next four years to reduce the impact on providers while they transition to the new system.

**2EHB 2151:    EXTENDING THE HOSPITAL SAFETY NET ASSESSMENT**

*Prime Sponsor: Representative Jinkins*

*(SSB 6045 Senator Becker)*

*\*Signed by the Governor*

- Moves the expiration date of the Hospital Safety Net Assessment (HSNA) program from July 1, 2017, to July 1, 2019.
- Removes provisions requiring a phase-down of the HSNA program by fiscal year 2019.
- Increases assessment amounts on some hospitals.
- Increases the amounts of payments to most hospitals from the HSNA Fund.
- Increases the amount of assessment dollars that the state may use in lieu of state General Fund payments to hospitals.
- Uses revenue from the HSNA Fund to pay for family residency and integrated psychiatry residency slots at the University of Washington.

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