



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Washington State Liquor and Cannabis Board

Subject of possible rule making: Title 314 WAC. The Washington State Liquor and Cannabis Board (LCB) is considering amending sections of chapter 314-55 WAC to implement Second Substitute HB2151 (2SHB2151; chapter 69, Laws of 2024), which transfers cannabis laboratory accreditation authority to the Washington State Department of Agriculture (WSDA) from the LCB beginning July 1, 2024. Cannabis laboratory accreditation authority was originally transferred from the LCB to the Washington State Department of Ecology in HB 2052 (chapter 277, Laws of 2019). LCB is also considering amending sections of chapter 314-55 WAC to implement and reference WSDA's new cannabis laboratory quality standards, which were transferred from LCB as part of HB 1859 (chapter 135, Laws of 2022).

Statutes authorizing the agency to adopt rules on this subject: 2SHB 2151 (chapter 69, Laws of 2024); HB 1859 (chapter 135, Laws of 2022); HB 2052 (chapter 277, Laws of 2019); RCW 69.50.325; RCW 69.50.326; RCW 69.50.342; RCW 69.50.345; RCW 69.50.348

Reasons why rules on this subject may be needed and what they might accomplish: Rulemaking is needed to align language and requirements with the transfer of accreditation authority for cannabis laboratories from LCB to the WSDA. The authority to establish rules for cannabis laboratory accreditation transferred to WSDA under 2SHB 2151 (chapter 69, Laws of 2024) becoming effective on July 1, 2024. The responsibility for accreditation of cannabis testing laboratories was originally transferred from LCB to the Department of Ecology under HB 2052 (chapter 277, Laws of 2019) effective July 1, 2024; however, the transfer of this authority was switched to WSDA under 2SHB 2151. Rulemaking would update and clarify LCB's requirements, including laboratory certification and reporting requirements, and would reference WSDA's new cannabis laboratory quality standards (chapter 16-309 WAC) and laboratory accreditation standards (chapter 16-310 WAC) that became effective in 2024.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: WSDA has new responsibility for establishing and administering cannabis testing laboratory quality standards and cannabis laboratory accreditation. The Washington State Department of Health (DOH) regulates the sale and product standards for medical cannabis (chapter 246-70 WAC). LCB will coordinate rulemaking with these agencies as co-members of the ongoing interagency coordination team created by HB 1859 (chapter 135, Laws of 2022). This interagency coordination team is responsible for establishing and maintaining cannabis laboratory quality standards and is led by WSDA.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WLCB/subscriber/new>. Rulemaking notices and stakeholder engagement

opportunities will be emailed via GovDelivery and posted to the WSLCB website at lcb.wa.gov.

Date: July 17, 2024

Name: David Postman

Title: Board Chair

Signature:
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