



# Marijuana – Follow-up Legislation in States that Legalized Personal Use: Bill Status Update

**Research current through February 9, 2015.**

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<b>State and Bill Number</b>	<b>Description<sup>1</sup></b>	<b>Status and Date of Last Action</b>
Alaska 2015 HB 59	Provides that it is the intent of the legislature to implement the legalization of marijuana in an orderly process: (1) to focus on provisions related to growth and sale of marijuana and licensing of marijuana establishments not later than November 24, 2015; (2) to delay regulations relating to legal manufacture, delivery, possession, possession with the intent to manufacture or deliver, sale, packaging, or display of marijuana concentrates to not later than November 24, 2016, in response to the difficulties other jurisdictions have found in unintended consequences of regulations permitting marijuana concentrates; and (3) during the period of the delay, that activities related to marijuana concentrates remain illegal and may form the basis for revocation of an establishment license or for seizure or forfeiture of assets under state law.	2/3/2015 – hearing in Health & Social Services Committee.
Alaska 2015 HB 79	Among other things, the legislation prohibits driving with "an open marijuana container in the passenger compartment of [a] vehicle."	2/6/2015 – Judiciary Committee hearing held.
Alaska 2015 SB 30	Among other things, the legislation prohibits driving with "an open marijuana container in the passenger compartment of [a] vehicle."	2/11/2015 – hearing scheduled in Judiciary Committee.
Colorado 2015 HB 1007	The bill clarifies that counties and municipalities are authorized, subject to voter approval, to levy, collect, and enforce a sales tax on all sales of retail marijuana and retail marijuana products by retailer, in addition to any sales tax imposed by the state or by the county or municipality as applicable.	1/7/2015 - introduced and assigned to Finance Committee.

<sup>1</sup> The word “marijuana” (or “marihuana”) is spelled as it is in the respective bill.

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Colorado 2015 HB 1090	Creates the County Retail Marijuana Impact Grant Program in the Division of Local Government in the Department of Local Affairs. The purpose of the program is to provide assistance and resources to counties that are experiencing impacts to services or budgets as a result of the cultivation, testing, sale, consumption, and regulation of retail marijuana and retail marijuana products in the state.	2/5/2015 - postponed indefinitely by Committee on Local Government.
Colorado 2015 SB 40	The bill clarifies that counties are authorized, subject to voter approval, to levy, collect, and enforce a sales tax on all sales of retail marijuana and retail marijuana products by a retailer, in addition to any sales tax imposed by the state or the county.	2/3/2015 - postponed indefinitely by Committee on Finance.
Colorado 2015 SB 65	Current Colorado statutes prohibit the use of automated teller machines by recipients of public benefits at liquor stores, gambling establishments, and firearms dealers. As amended, the bill extends these prohibitions to establishments licensed to sell medical marijuana, medical marijuana-infused, retail marijuana, or retail marijuana-infused products.	2/9/2015 – third reading passed - no amendments.
Colorado 2015 SB 136	The bill repeals the Department of Revenue's ("Department") authority to adopt rules concerning labeling retail marijuana products and establishes in statute the information that is required to be on labels of packages of retail marijuana. One of the required items on a label is a quick response code or web site address that allows a consumer of retail marijuana access to additional specified information not contained on the label. The Department is required as part of its seed-to-sale tracking system to create a web site for the additional information available to consumers of retail marijuana.	1/28/2015 - introduced in Senate; assigned to Committee on Health & Human Services.

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District of Columbia 2013 LB 1016	Prohibits, on an emergency basis, employers from testing potential employees for marijuana use during the hiring process, unless otherwise required by law.	1/25/2015 – enacted with act number a20-0610.
District of Columbia 2015 LB 23	"Marijuana Legalization and Regulation Act of 2015." Legalizes the possession, consumption, display, purchasing, or transporting of 2 ounces or less pf marijuana and marijuana-infused products for personal use, not in public, for persons over the age of 21. Violation by persons under age 21 is a civil infraction. The bill designates that the Alcoholic Beverage Regulation Administration shall receive all income from taxes, licensing fees, penalties, and forfeitures related to the District of Columbia marijuana industry.	1/20/2015 – referred to Committee on Business, Consumer, and Regulatory Affairs; Committee on Finance and Revenue, Committee on Judiciary, and Committee of the Whole; hearing scheduled for 2/9/2015.
District of Columbia 2015 LB 25	"Prohibition of Pre-Employment Marijuana Testing Act of 2015." Prohibits employers from testing potential employees for marijuana use during the hiring process, unless otherwise required by law.	1/6/2015 – referred to Committee on Business, Consumer, and Regulatory Affairs; hearing scheduled for 2/9/2015.
Oregon 2015 HB 2040	Prohibits medical marijuana facilities and licensed producers, processors and sellers of marijuana from being located within one mile of a school.	1/16/2015 – referred to Committee on Implementing Measure 91.

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Oregon 2015 HB 2041	Provides that local governments may prohibit medical marijuana facilities and producers, processors and sellers of marijuana from being located within one mile of a school.	1/16/2015 – referred to Committee on Implementing Measure 91.
Oregon 2015 HB 2147	Directs the Department of Revenue to conduct a study on the taxation of marijuana. Requires a report to be submitted to interim committee related to revenue no later than September 15, 2015.	1/16/2015 – referred to Committee on Implementing Measure 91.
Oregon 2015 HB 2312	Provides that the possession, delivery or manufacture of a controlled substance constituting a commercial drug offense must be for a controlled substance other than marijuana or marijuana product.	1/16/2015 – referred to Committee on Judiciary.
Oregon 2015 HB 2854	Modifies the offense of smoking in a motor vehicle to clarify that the offense applies to smoking marijuana and use of electronic cigarette to vaporize cannabinoid solutions.	2/4/2015 – first reading; referred to Speaker's Desk.
Oregon 2015 HB 2885	Provides that the Oregon Liquor Control Commission may delay issuing licenses to applicants for processing marijuana products that are intended to be consumed as food or as potable liquid until July 1, 2016.	2/4/2015 – first reading; referred to Speaker's Desk.
Oregon 2015 SB 124	Creates the crimes of unlawful manufacture of marijuana within 1,000 feet of a school zone and the unlawful delivery of marijuana within 1,000 feet of a school zone. Punishes violators with maximum five years' imprisonment, \$125,000 fine, or both.	1/20/2015 – referred to Committee on Judiciary and then Implementing Measure 91.

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Oregon 2015 SB 162	Prohibits marijuana grow sites and licensed producers, processors and sellers of marijuana from being located within 1,000 feet of a school. Clarifies, with respect to medical marijuana facilities, the type of school to which prohibition applies. Requires marijuana grow sites and licensed producers, processors and wholesalers of marijuana to keep all marijuana inside a fence, barrier or other type of structure that prevents public access.	1/20/2015 – referred to Committee on Judiciary and then Implementing Measure 91.
Oregon 2015 SB 445	Requires medical marijuana facilities and marijuana retailers to post at facility or on the premises of their retail location a notice of harmful effects of marijuana on pregnant women and the potential for marijuana to cause birth defects.	1/20/2015 – referred to Committee on Human Services and Early Childhood Committee, then Implementing Measure 91.
Oregon 2015 SB 540	Prohibits retail sellers of marijuana for recreational use and medical marijuana facilities from being located within 1,000 feet of a certified child care facility or preschool recorded program. Makes prohibitions operative January 1, 2016. Creates the crimes of unlawful manufacture of marijuana within 1,000 feet of a child care facility or preschool recorded program and unlawful delivery of marijuana within 1,000 feet of a child care facility or preschool recorded program. Punishes by maximum 20 years' imprisonment, \$375,000 fine, or both. Creates the crime of possession or use of marijuana at or near child care facility or preschool recorded program. Punishes by maximum five years' imprisonment, \$125,000 fine, or both.	2/3/2015 – referred to Committee on Judiciary and then Implementing Measure 91.

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Oregon 2015 SB 542	Repeals sections of Ballot Measure 91 that prescribe the manner in which local governments may regulate production, processing, wholesale sale, retail sale and taxation of marijuana. Specifies that provisions of Ballot Measure 91 do not prohibit local governments from adopting ordinances that regulate, restrict, prohibit or impose taxes on production, processing, wholesale sale or retail sale of marijuana.	2/3/2015 – referred to Committee on Implementing Measure 91.
Washington 2015 HB 1165	Establishes a dedicated local jurisdiction marijuana fund and details the distribution of a specified percentage of marijuana excise tax revenues to local jurisdictions.	1/14/2015 – first reading; referred to Committee on Commerce & Gaming.
Washington 2015 HB 1276	Includes a proposed open container law for marijuana that prohibits driver from traveling with marijuana in passenger area unless the driver is age 21 or over and driver is transporting a recently purchased (and still sealed) package.	2/4/2015 - substituted bill referred to General Government & Information Technology Committee.
Washington 2015 HB 1334	An act containing more detail about the taxes payable on sales by licensed recreational marijuana producers, processors, and retailers.	1/19/2015 – first reading; referred to Committee on Commerce & Gaming.

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Washington 2015 HB 1335	Permits cities, towns, and counties to reduce the buffer between recreational marijuana businesses and various entities from 1,000 feet to 500 feet.	1/19/2015 – first reading; referred to Committee on Commerce & Gaming.
Washington 2015 HB 1359	Provides for penalties if person under the age of twenty-one purchases or attempts to purchase marijuana.	1/19/2015 – first reading; referred to Committee on Commerce & Gaming.
Washington 2015 HB 1360	Makes it unlawful to open a package containing marijuana concentrate in public.	1/19/2015 – first reading; referred to Committee on Commerce & Gaming.
Washington 2015 HB 1412	Provides that any county, city, or town may enact an ordinance prohibiting the siting or operation within its jurisdictional boundaries of any business or facility for the production, processing, and/or retail sale of recreational marijuana products, including marijuana, marijuana concentrates, and marijuana-infused products. In order to be enacted, a proposed ordinance must first be passed by the legislative authority of the county, city, or town and then approved by the majority of voters voting on it at a general or special election.	1/20/2015 – first reading; referred to Committee on Commerce & Gaming.

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Washington 2015 HB 1413	Reduces the buffer distance to 100 feet between recreational marijuana businesses and the following locations: any recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.	1/20/2015 – first reading; referred to Committee on Commerce & Gaming.
Washington 2015 HB 1414	Exempts marijuana producers from taxation for sales to other producers of marijuana seeds and cloned marijuana plants.	1/20/2015 – first reading; referred to Committee on Commerce & Gaming.
Washington 2015 HB 1438	Provides a process to permit cities, towns, and counties to prohibit the production, processing, and sale of marijuana under Initiative Measure No. 502 only by public vote.	1/21/2015 – first reading; referred to Committee on Commerce & Gaming.
Washington 2015 HB 1765	Changes present marijuana provisions so that marijuana is only authorized if it is in pill form prescribed by a physician.	1/28/2015 – first reading; referred to Committee on Commerce & Gaming.
Washington 2015 HB 1776	Addresses the transportation and delivery services for licensed marijuana producers, marijuana processors, and marijuana retailers.	1/28/2015 – first reading; referred to Committee on Commerce & Gaming.

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Washington 2015 HB 1907	Restricts the operation of state licensed marijuana producers, marijuana processors, or marijuana retailers within one thousand feet of a religious facility.	2/2/2015 – first reading; referred to Committee on Commerce & Gaming.
Washington 2015 HB 2000	Authorizes the governor to enter into agreements with federally recognized Indian tribes in the state of Washington concerning marijuana.	2/5/2015 – first reading, referred to Committee on Commerce & Gaming; hearing scheduled 2/10/2015.
Washington 2015 HB 2008	Intent of legislation is to reform the current tax structure for the regulated legal marijuana system to create price parity with the large medical and illicit markets with the specific objective of increasing the market share of the legal marijuana market. The legislature further intends to share marijuana tax revenues with local jurisdictions for public safety and chemical dependency and mental health treatment expenditures, requiring a rigorous evaluation of the incremental cost and use of proceeds the legalization of marijuana has on local communities. Finally, the legislation provides qualifying patients a retail sale and use tax exemption on purchases of marijuana for medical use when authorized by a health care professional.	2/6/2015 – first reading; referred to Committee on Finance.

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Washington 2015 SB 5002	Open marijuana container law. Makes it a violation to keep marijuana in a vehicle unless it is (A) in the trunk of the vehicle, (B) in some other area of the vehicle not normally occupied or directly accessible by the driver or passengers if the vehicle does not have a trunk, or (C) in a package, container, or receptacle that has not been opened or the seal broken or contents partially removed.	2/6/2015 – passed to Rules Committee for second reading.
Washington 2015 SB 5003	Relates to the taxes payable on sales by licensed recreational marijuana producers, processors, and retailers. Increases the tax rate to 26 percent.	1/12/2015 – first reading, referred to Committee on Ways & Means.
Washington 2015 SB 5121	Establishes a marijuana research license.	1/29/2015 – passed to Rules Committee for second reading.
Washington 2015 SB 5130	Provides that the state liquor control board shall not issue a marijuana producer or marijuana processor license for any premises located within an area zoned for residential use or an area zoned for rural use with a minimum lot size of five acres.	2/11/2015 - scheduled for executive session in Committee on Commerce & Labor.
Washington 2015 SB 5398	Makes it unlawful to open a package containing marijuana concentrate in public.	2/13/2015 - scheduled for public hearing in Committee on Commerce & Labor.
Washington 2015 SB 5400	Places a temporary additional fee on licenses and permits issued by the Washington state liquor control board (including all applications and renewals of licenses relating to marijuana required under Chapter 69.50 of the Washington Code).	1/21/2015 – first reading, referred to Committee on Commerce & Labor.

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Washington 2015 SB 5402	Provides for penalties if a person under the age of twenty-one purchases or attempts to purchase marijuana.	2/13/2015 - scheduled for public hearing in Committee on Commerce & Labor.
Washington 2015 SB 5450	Expands the restrictions on issuing a marijuana license within 1,000 feet of a licensed chemical dependency program, church, or other location where children regularly congregate.	2/11/2015 - scheduled for executive session in Committee on Commerce & Labor.
Washington 2015 SB 5461	Allows person convicted of certain misdemeanor marijuana offenses to apply to the court for a vacation of conviction.	1/22/2015 – first reading, referred to Committee on Law & Justice.
Washington 2015 SB 5467	Provides a single point of excise taxation on sales of recreational marijuana.	2/3/2015 – referred to Committee on Ways and Means.
Washington 2015 SB 5493	Clarifies that cannabis health and beauty aids are not subject to the regulations of 69.50 RCW that apply to marijuana, marijuana concentrates, or marijuana-infused products.	2/13/2015 - scheduled for public hearing in Committee on Commerce & Labor.

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Washington 2015 SB 5519	"Comprehensive Marijuana Reform Act." The intention of the legislation is to draw bright line rules to aid enforcement of both medical and recreational marijuana systems, to merge medical system into the recreational regulatory scheme so all products sold in the state meet at least the same testing and product safety requirements, and to ensure that people who require marijuana for their medical care are still provided adequate access to this product. In addition, the goal is to adopt a medical marijuana waiver system that allows patients to directly apply with the Department of Health to get a waiver from the limits provided by this bill in order to address their unique medical needs. This system eliminates the need for a medical marijuana registry that involves the health care professional as the "gatekeeper" to entry and will eliminate abuse of authorizations.	2/13/2015 - scheduled for public hearing in Committee on Commerce & Labor.
Washington 2015 SB 5572	Provides that a city, town, or county may adopt an ordinance to decrease to no less than 500 feet the distance that marijuana producers, marijuana processors, marijuana retailers, or marijuana researchers must be located from recreation centers or facilities, child care centers, public parks, public transit centers, or libraries, or any game arcades admission to which is not restricted to persons aged 21 or older. Also, a city, town, or county may adopt an ordinance to prohibit a marijuana producer, marijuana processor, marijuana retailer, or marijuana researcher from locating its premises up to 1,000 feet from a church.	2/2/2015 – public hearing in Committee on Commerce & Labor.
Washington 2015 SB 5848	Authorizes the governor to enter into agreements with federally recognized Indian tribes in the state of Washington concerning marijuana.	2/5/2015 – first reading, referred to Committee on Commerce & Labor.

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Washington 2015 SB 5858	Establishes a state cannabis industry and economic development committee to promote and further develop the industry while remaining in compliance with federal guidelines. Directs the committee to address evolving marijuana issues and submit its policy recommendations for consideration by the 2016 legislature.	2/5/2015 – first reading, referred to Committee on Commerce & Labor.
Washington 2015 SB 5903	Makes it unlawful to sell marijuana, marijuana concentrates, marijuana-infused products, or usable marijuana via vending machine or a drive-thru facility. Also prohibits the state Liquor Control Board from issuing a retail marijuana license to any such business.	2/13/2015 - scheduled for hearing in the Committee on Commerce & Labor.

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