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HOUSE BILL 2369

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State of Washington

64th Legislature

2016 Regular Session

By Representative Hurst

Read first time 01/12/16. Referred to Committee on Public Safety.

1 AN ACT Relating to the authority of liquor enforcement officers;  
2 and amending RCW 66.44.010.

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

4 **Sec. 1.** RCW 66.44.010 and 1998 c 18 s 1 are each amended to read  
5 as follows:

6 (1) All county and municipal peace officers are hereby charged  
7 with the duty of investigating and prosecuting all violations of this  
8 title, and the penal laws of this state relating to the manufacture,  
9 importation, transportation, possession, distribution and sale of  
10 liquor, and all fines imposed for violations of this title and the  
11 penal laws of this state relating to the manufacture, importation,  
12 transportation, possession, distribution and sale of liquor shall  
13 belong to the county, city or town wherein the court imposing the  
14 fine is located, and shall be placed in the general fund for payment  
15 of the salaries of those engaged in the enforcement of the provisions  
16 of this title and the penal laws of this state relating to the  
17 manufacture, importation, transportation, possession, distribution  
18 and sale of liquor: PROVIDED, That all fees, fines, forfeitures and  
19 penalties collected or assessed by a district court because of the  
20 violation of a state law shall be remitted as provided in chapter  
21 3.62 RCW as now exists or is later amended.

1 (2) In addition to any and all other powers granted, the board  
2 shall have the power to enforce the penal provisions of this title  
3 and the penal laws of this state relating to the manufacture,  
4 importation, transportation, possession, distribution and sale of  
5 liquor.

6 (3) In addition to the other duties under this section, the board  
7 shall enforce chapters 82.24 and 82.26 RCW.

8 (4) The board may appoint and employ, assign to duty and fix the  
9 compensation of, officers to be designated as liquor enforcement  
10 officers. Such liquor enforcement officers shall have the power,  
11 under the supervision of the board, to enforce the penal provisions  
12 of this title and the penal laws of this state relating to the  
13 manufacture, importation, transportation, possession, distribution  
14 and sale of liquor. ~~((They))~~ Liquor enforcement officers shall have  
15 the power and authority to enforce the penal provisions of Titles 9,  
16 9A, and 46 RCW and chapter 69.50 RCW while conducting their  
17 enforcement duties related to alcohol, tobacco, and marijuana, or  
18 working in partnership with state, county, and municipal peace  
19 officers. County and municipal law enforcement shall have the right  
20 of first refusal for criminal enforcement issues involving Titles 9,  
21 9A, and 46 RCW occurring in their respective jurisdiction. When  
22 engaging in criminal enforcement of Titles 9, 9A, and 46 RCW, liquor  
23 enforcement officers shall provide an opportunity for county or  
24 municipal law enforcement to assume control of the criminal  
25 investigation, or exercise the right of refusal. The scope of  
26 enforcement authority relating to the penal provision of Titles 9,  
27 9A, and 46 RCW, must be in direct relation to activity in and around  
28 a business licensed by the board, or relating to the manufacture,  
29 importation, transportation, possession, distribution and sale of  
30 liquor, tobacco, or marijuana. Liquor enforcement officers shall have  
31 the power and authority to serve and execute all warrants and process  
32 of law issued by the courts in enforcing: The penal provisions of  
33 this title or of any penal law of this state relating to the  
34 manufacture, importation, transportation, possession, distribution  
35 and sale of liquor(~~(, and)~~); the provisions of chapters 82.24 and  
36 82.26 RCW; and the provisions of Titles 9, 9A, and 46 RCW and chapter  
37 69.50 RCW while conducting their enforcement duties related to  
38 alcohol, tobacco, and marijuana, or working in partnership with  
39 state, county, and municipal peace officers. They ~~((shall))~~ have the  
40 power to arrest without a warrant any person or persons found in the

1 act of violating: Any of the penal provisions of this title or of any  
2 penal law of this state relating to the manufacture, importation,  
3 transportation, possession, distribution and sale of liquor(~~(, and)~~);  
4 the provisions of chapters 82.24 and 82.26 RCW; and the provisions of  
5 Titles 9, 9A, and 46 RCW and chapter 69.50 RCW while conducting their  
6 enforcement duties related to alcohol, tobacco, and marijuana, or  
7 working in partnership with state, county, and municipal peace  
8 officers.

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