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**HOUSE BILL 1389**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Morgan, Young, Jinkins, Entenman, Ormsby, Lekanoff, Thai, Reeves, Stonier, Kilduff, and Stanford

AN ACT Relating to reporting requirements for common carriers who transport liquor into the state; adding a new section to chapter 66.28 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  It is the intent of the legislature to have complete and accurate information about the importation of liquor into the state in order to verify that all such importation is lawful, to ensure that all applicable taxes are properly and promptly paid, and to protect persons licensed to sell liquor in the state from unfair competition by out-of-state entities.

NEW SECTION. **Sec.**  A new section is added to chapter 66.28 RCW to read as follows:

(1) Any carrier that delivers to a recipient in the state an item the carrier knows contains liquor must report such delivery to the board and to the department of revenue on or before the end of the calendar month following the month in which the delivery is completed.

(2) The reports required by this section must include the name and address of the carrier, the name and address of the person or entity from whom the shipment originated, the name and address of the person or entity to whom the shipment is delivered, the weight or other pertinent information about the shipment, a unique tracking number, the date of delivery, and any other information reasonably required by the board or the department of revenue. Reports will be made available to the public under the public records act, chapter 42.56 RCW. However, those portions of reports disclosing the names and addresses of individual consumers receiving shipments of liquor must be redacted before the balance of the reports are made available to the public.

(3) The reporting requirements of this section apply to all deliveries made to any person or entity in the state, except that they do not apply to any deliveries made to the licensed premises of a person licensed in the state as a spirits, beer, or wine distributor or importer.

(4) Any carrier who willfully fails to make reports as provided by this section, board rule, or department of revenue rule for the administration and enforcement of this section is subject to a notification of violation. In the case of a continuing failure to make reports, the carrier is subject to possible license suspension and revocation.

(5) This section does not alter, eliminate, or abridge any requirements imposed by any other statute or rule on carriers with respect to delivery of liquor to recipients in the state, such as but not limited to requirements that the carrier verify the age of the person accepting delivery and obtain such person's signature confirming delivery.

(6) The board and the department of revenue must jointly or separately adopt rules necessary or appropriate for the implementation of this section.

(7) For purposes of this section, the term "carrier" means and includes any person or entity operating as a common carrier in the state, including railroad companies, express companies, common or contract carriers, or any other company or firm that brings, carries, or transports liquor from outside the state for delivery in the state.

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