H-3911.1

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**HOUSE BILL 2914**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Representatives Kirby, Reykdal, Van De Wege, Muri, Stanford, Goodman, and Ormsby

AN ACT Relating to providing salary funding to recruit and retain Washington state patrol commissioned officers; amending RCW 82.08.150 and 82.08.160; adding a new section to chapter 46.68 RCW; creating a new section; and providing an effective date.

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

NEW SECTION. **Sec.**  It is the intent of the legislature to recruit and retain the highest qualified commissioned officers of the Washington state patrol under RCW 43.43.020. The "Joint Transportation Committee Recruitment and Retention Study" dated January 7, 2016, found that officer salaries is one area that limits the Washington state patrol in attracting and retaining a fully staffed field force to patrol and provide a safe environment for motorists. Law enforcement is a very demanding and stressful career with risks and many law enforcement agencies competing for the same highly qualified individuals in a very limited recruitment pool. Officer salaries is one of the areas that will attract individuals to law enforcement, like the Washington state patrol, and retain such individuals for long successful careers in law enforcement while providing valuable services to the public and keeping the public safe.

**Sec.**  RCW 82.08.150 and 2012 c 2 s 106 are each amended to read as follows:

(1) There is levied and collected a tax upon each retail sale of spirits in the original package at the rate of fifteen percent of the selling price.

(2) There is levied and collected a tax upon each sale of spirits in the original package at the rate of ten percent of the selling price on sales by a spirits distributor licensee or other licensee acting as a spirits distributor pursuant to Title 66 RCW to restaurant spirits retailers.

(3) There is levied and collected an additional tax upon each sale of spirits in the original package by a spirits distributor licensee or other licensee acting as a spirits distributor pursuant to Title 66 RCW to a restaurant spirits retailer and upon each retail sale of spirits in the original package by a licensee of the board at the rate of one dollar and seventy-two cents per liter.

(4) An additional tax is imposed equal to fourteen percent multiplied by the taxes payable under subsections (1), (2), and (3) of this section.

(5)(a) An additional tax is imposed upon each sale of spirits in the original package by a spirits distributor licensee or other licensee acting as a spirits distributor pursuant to Title 66 RCW to a restaurant spirits retailer and upon each retail sale of spirits in the original package by a licensee of the board at the rate of seven cents per liter.

(b) Except as provided in (c) of this subsection, all revenues collected during any month from this additional tax must be deposited in the state general fund by the twenty-fifth day of the following month.

(c) Five percent of the revenues collected under (a) of this subsection must be deposited into the state patrol highway account.

(6)(a) An additional tax is imposed upon retail sale of spirits in the original package at the rate of three and four-tenths percent of the selling price.

(b) An additional tax is imposed upon retail sale of spirits in the original package to a restaurant spirits retailer at the rate of two and three-tenths percent of the selling price.

(c) An additional tax is imposed upon each sale of spirits in the original package by a spirits distributor licensee or other licensee acting as a spirits distributor pursuant to Title 66 RCW to a restaurant spirits retailer and upon each retail sale of spirits in the original package by a licensee of the board at the rate of forty-one cents per liter.

(d) Except as provided in (e) of this subsection, all revenues collected during any month from additional taxes under this subsection must be deposited in the state general fund by the twenty-fifth day of the following month.

(e) Five percent of the revenues collected under (c) of this subsection must be deposited into the state patrol highway account.

(7)(a) An additional tax is imposed upon each retail sale of spirits in the original package at the rate of one dollar and thirty-three cents per liter.

(b) Except as provided in (c) of this subsection, all revenues collected during any month from additional taxes under this subsection must be deposited by the twenty-fifth day of the following month into the general fund.

(c) Five percent of the revenues collected under (a) of this subsection must be deposited into the state patrol highway account.

(8) The tax imposed in RCW 82.08.020 does not apply to sales of spirits in the original package.

(9) The taxes imposed in this section must be paid by the buyer to the seller, and each seller must collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller must be stated separately from the selling price, and for purposes of determining the tax due from the buyer to the seller, it is conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section. Sellers must report and return all taxes imposed in this section in accordance with rules adopted by the department.

(10) As used in this section, the terms, "spirits" and "package" have the same meaning as provided in chapter 66.04 RCW.

**Sec.**  RCW 82.08.160 and 2015 3rd sp.s. c 4 s 975 are each amended to read as follows:

(1) On or before the twenty-fifth day of each month, all taxes collected under RCW 82.08.150 during the preceding month must be remitted to the state department of revenue, to be deposited with the state treasurer. Except as provided in subsections (2), (3), (4), ((~~and~~)) (5), and (6) of this section, upon receipt of such moneys the state treasurer must credit sixty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) and one hundred percent of the sums collected and remitted under RCW 82.08.150 (3) and (4) to the state general fund and thirty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby created to be known as the "liquor excise tax fund."

(2) During the 2012 fiscal year, 66.19 percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) must be deposited in the state general fund and the remainder collected and remitted under RCW 82.08.150 (1) and (2) must be deposited in the liquor excise tax fund.

(3) During fiscal year 2013, all funds collected under RCW 82.08.150 (1), (2), (3), and (4) must be deposited into the state general fund.

(4) During the 2013‑2015 fiscal biennium, seventy‑seven and one‑half percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) must be deposited in the state general fund, and the remainder collected and remitted under RCW 82.08.150 (1) and (2) must be deposited in the liquor excise tax fund. The amendments in ((~~this~~)) section 923, chapter 221, Laws of 2014 are curative, clarifying, and remedial and apply retroactively to July 1, 2013.

(5) During the 2015-2017 fiscal biennium, the liquor excise tax fund may be appropriated for the local government fiscal note program in the department of commerce. It is the intent of the legislature to continue these policies in the 2017-2019 fiscal biennium.

(6) Five percent of the revenues collected under RCW 82.08.150 (3) and (4) must be deposited into the state patrol highway account.

NEW SECTION. **Sec.**  A new section is added to chapter 46.68 RCW to read as follows:

The distribution of taxes deposited into the state patrol highway account under RCW 82.08.150 (5)(c), (6)(e), and (7)(c) and 82.08.160(6) must be used for salaries for commissioned officers of the Washington state patrol appointed under RCW 43.43.020.

NEW SECTION. **Sec.**  This act takes effect July 1, 2016.

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