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**SENATE BILL 6305**

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

**By** Senators Rivers and Conway

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

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

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

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

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

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

(4) The board may appoint and employ, assign to duty and fix the compensation of, officers to be designated as liquor enforcement officers. Such liquor enforcement officers shall have the power, under the supervision of the board, to enforce the penal provisions of this title and the penal laws of this state relating to the manufacture, importation, transportation, possession, distribution and sale of liquor. ((~~They~~)) Liquor enforcement officers shall have the power and authority to enforce the penal provisions of Titles 9, 9A, and 46 RCW and chapter 69.50 RCW while conducting their enforcement duties related to alcohol, tobacco, and marijuana, or working in partnership with state, county, and municipal peace officers. County and municipal law enforcement shall have the right of first refusal for criminal enforcement issues involving Titles 9, 9A, and 46 RCW occurring in their respective jurisdiction. When engaging in criminal enforcement of Titles 9, 9A, and 46 RCW, liquor enforcement officers shall provide an opportunity for county or municipal law enforcement to assume control of the criminal investigation, or exercise the right of refusal. The scope of enforcement authority relating to the penal provision of Titles 9, 9A, and 46 RCW, must be in direct relation to activity in and around a business licensed by the board, or relating to the manufacture, importation, transportation, possession, distribution and sale of liquor, tobacco, or marijuana. Liquor enforcement officers shall have the power and authority to serve and execute all warrants and process of law issued by the courts in enforcing: The penal provisions of this title or of any penal law of this state relating to the manufacture, importation, transportation, possession, distribution and sale of liquor((~~, and~~)); the provisions of chapters 82.24 and 82.26 RCW; and the provisions of Titles 9, 9A, and 46 RCW and chapter 69.50 RCW while conducting their enforcement duties related to alcohol, tobacco, and marijuana, or working in partnership with state, county, and municipal peace officers. They ((~~shall~~)) have the power to arrest without a warrant any person or persons found in the act of violating: Any of the penal provisions of this title or of any penal law of this state relating to the manufacture, importation, transportation, possession, distribution and sale of liquor((~~, and~~)); the provisions of chapters 82.24 and 82.26 RCW; and the provisions of Titles 9, 9A, and 46 RCW and chapter 69.50 RCW while conducting their enforcement duties related to alcohol, tobacco, and marijuana, or working in partnership with state, county, and municipal peace officers.

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