
Public Safety Committee

HB 2369

Brief Description: Modifying the authority of liquor enforcement officers.

Sponsors: Representative Hurst.

Brief Summary of Bill

- Expands the enforcement powers of liquor enforcement officers to include enforcing the criminal laws of the state while conducting their enforcement duties related to alcohol, tobacco, and marijuana, or while working in partnership with law enforcement.
- Specifies that liquor enforcement officers must provide county and municipal law enforcement agencies with the right of first refusal for certain criminal enforcement issues and for assuming control of certain criminal investigations.

Hearing Date: 1/20/16

Staff: Yvonne Walker (786-7841).

Background:

The Washington State Liquor Control Board (WSLCB) was formed in 1933 by the Steele Act to regulate the importation, manufacture, distribution, and sale of alcohol. The WSLCB Enforcement and Education Division is responsible for enforcing state liquor, tobacco, and marijuana laws and regulations. The officers also provide alcohol education to liquor-licensed businesses, communities, and local law enforcement agencies.

Liquor and tobacco enforcement officers are limited-authority, commissioned law enforcement officers. Enforcement operations include: premises visits, compliance checks, undercover operations, and complaint investigations, while educational efforts include liquor law briefings, technical assistance visits, and "Responsible Alcohol and Tobacco Sales" classes. The WSLCB employs approximately 55 officers in the field. These officers have received roughly 440 hours of training at the Criminal Justice Training Commission or at an academy in the State of Idaho.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Limited Authority Agency. Limited authority Washington law enforcement agencies and officers have, as one of their functions, the apprehension or detection of persons committing infractions or violating traffic or specific criminal laws relating to limited subject areas. Agencies so designated include, but are not limited to: the Department of Natural Resources, the Department of Social and Health Services, the State Gambling Commission, the Department of Corrections, the State Parks and Recreation Commission, and the WSLCB.

Summary of Bill:

The enforcement powers for liquor enforcement officers is expanded.

Liquor enforcement officers have the power and authority to enforce the penal laws of the state while conducting their enforcement duties related to alcohol, tobacco, and marijuana, or by working in partnership with state or local law enforcement officers. The officers have the authority to enforce most criminal provisions in state law, including the: Criminal Code, the Motor Vehicles Act, and the Uniform Controlled Substances Act.

When engaging in criminal enforcement of the Criminal Code and the Motor Vehicles Act, liquor enforcement officers must 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 must be in direct relation to activity in and around a business licensed by the WSLCB, or relating to the manufacture, importation, transportation, possession, distribution, and sale of liquor, tobacco, or marijuana. Liquor enforcement officers would not have to concede or relinquish enforcement powers or a criminal investigation in connection with criminal activity in violation of the Uniform Controlled Substances Act.

Appropriation: None.

Fiscal Note: Requested on January 12, 2016.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.