

**WAC 314-33-020 What criminal history might prevent an applicant from receiving or keeping a cigarette or tobacco products license?**

(1) For the purpose of reviewing an application for a license and for considering the denial, suspension, or revocation of any such license, the board may consider any prior criminal conduct of the applicant and criminal history record within the previous five years.

(2) When the board processes a criminal history check on an applicant, it uses a point system to determine a person's qualification for a license. The board will not normally issue a cigarette and tobacco products license to an applicant who has accumulated eight or more points as indicated below:

<b>Description</b>	<b>Time period during which points will be assigned from date of conviction</b>	<b>Points assigned</b>
Felony conviction	Five years	12 points
Gross misdemeanor conviction for violation of chapters 82.24 and 82.26 RCW	Five years	12 points
Other gross misdemeanor conviction	Three years	5 points
Misdemeanor conviction	Three years	4 points
Nondisclosure of any of the above	n/a	4 points each

(3) If a case is pending for an alleged offense that would earn eight or more points, the board will hold the application for the disposition of the case. If the disposition is not settled within ninety days, the board may administratively close the application.

[Statutory Authority: RCW 82.24.510, 82.24.550, 82.26.150, 82.26.220. WSR 10-01-089, § 314-33-020, filed 12/16/09, effective 1/16/10.]