

FINAL BILL REPORT

SHB 2973

C 53 L 98

Synopsis as Enacted

Brief Description: Clarifying the role of the liquor control board to hear appeals related to the seizure and forfeiture of cigarettes.

Sponsors: By House Committee on Commerce Labor (originally sponsored by Representative McMorris).

House Committee on Commerce & Labor
Senate Committee on Commerce & Labor

Background: In 1997, primary enforcement authority for cigarette and tobacco tax laws was transferred from the Department of Revenue to the Liquor Control Board. To facilitate enforcement of these laws, the Department of Revenue must appoint enforcement officers of the Liquor Control Board as authorized agents of the Department of Revenue. Both agencies may participate in seizure of the cigarettes that do not comply with state law. The Department of Revenue is designated as the agency to conduct proceedings involving the forfeiture of legally seized items.

Based on the transfer of authority, both agencies entered into an interagency agreement to clarify each agency's responsibility under the new law. The agreement gives the Liquor Control Board the responsibility of handling seized property and hearing claims that arise regarding the disposition of seized property. It is not clear that the board is authorized to process forfeiture actions involving seized property.

Summary: The Liquor Control Board, along with the Department of Revenue, is authorized to process forfeiture actions involving seized property. Such action includes conducting hearings that arise over claims involving seized property.

Votes on Final Passage:

House 96 0
Senate 41 0

Effective: March 18, 1998