

SENATE BILL REPORT

SHB 2973

As Reported By Senate Committee On:
Commerce & Labor, February 27, 1998

Title: An act relating to clarifying the role of the liquor control board to hear appeals relating to the seizure and forfeiture of cigarettes.

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

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

Brief History:

Committee Activity: Commerce & Labor: 2/25/98, 2/27/98 [DP].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass.

Signed by Senators Schow, Chair; Horn, Vice Chair; Anderson, Franklin, Fraser, Heavey and Newhouse.

Staff: Genevieve Pisarski (786-7488)

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 to handle seized property and to hear claims that arise regarding the disposition of seized property. Clarification is sought to allow the board to process forfeiture actions involving seized property.

Summary of Bill: 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.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: Confusion over which agency is authorized to conduct administrative proceedings will be eliminated.

Testimony Against: None.

Testified: Gary Gilbert, Liquor Control Board (pro).