

HOUSE BILL ANALYSIS

HB 2849

Brief Description: Providing for state certification and training for liquor control board officers.

Sponsors: Representatives Hurst and Clements

Hearing: February 2, 2000

Brief Summary of Bill

- Requires that liquor enforcement officers receive basic law enforcement training through the Criminal Justice Training Commission (CJTC).
- Allows officers who have completed the training to execute warrants for all criminal laws and to arrest without a warrant, persons who violate criminal laws in their presence.

BACKGROUND:

Along with city and county police officers, Liquor Control Board enforcement officers are authorized to enforce all liquor laws and criminal laws relating to the manufacture, possession, transportation and sale of liquor and tax laws for cigarettes and tobacco products. Liquor enforcement officers may serve warrants and other legal process relating to enforcement of the liquor laws and cigarette and tobacco tax laws and other relevant criminal laws and may arrest without a warrant persons who are found in the act of violating these laws.

A Citizen Review Panel looking at Liquor Control Board issues reported in December 1999, that expectations regarding the role of an enforcement officer are changing in society in general. With respect to liquor enforcement officers, they are expected to be more than just enforcers of detailed licensing regulations. They are expected to be involved in solving broader community problems and to join with other law enforcement and community agencies in doing so.

The board provides a total of five weeks of basic training, including self defense training for enforcement officers through the Criminal Justice Training Commission (CJTC) and additional training through the agency academy. Training in enforcement procedures is done by an agency regional field training officer. There is no requirement for periodic updates in training. For specialized training, individuals are sent to training and then become instructors for other regional enforcement personnel.

Based on its review, the Citizen Panel recommended that a policy be established and implemented to periodically retain and educate liquor enforcement officers based on current duties and responsibilities. It further recommended that the current training policy be evaluated for its effectiveness and that the board increase its level of involvement with the CJTC to provide for training needs.

SUMMARY OF BILL:

All newly hired liquor enforcement officers must take basic law enforcement training through the CJTC and be certified before engaging in any enforcement activities.

Current enforcement officers must successfully complete an equivalency basic law enforcement training program developed by the CJTC. The program must be no more than 160 hours and must reflect the types of experiences encountered by liquor enforcement officers and must take into consideration prior training. Their training will be phased in over time, and the board must establish a procedure for determining which officers will attend this training each year.

Once an enforcement officer is certified by the CJTC, the officer may serve and execute warrants and process to enforce all criminal laws of the state and may, without a warrant, arrest persons who violate criminal laws in the presence of the officer.

RULES AUTHORITY: The bill does not contain provisions addressing the rule making powers of an agency.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.