
HOUSE BILL 1603

State of Washington

60th Legislature

2007 Regular Session

By Representatives Conway, Wood, Condotta and Moeller; by request of
Liquor Control Board

Read first time 01/24/2007. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to enforcement of liquor and tobacco laws; amending
2 RCW 82.26.105; adding a new section to chapter 66.08 RCW; and adding a
3 new section to chapter 82.24 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 66.08 RCW
6 to read as follows:

7 (1) The liquor control board may issue subpoenas in connection with
8 any investigation, hearing, or proceeding for the production of books,
9 records, and documents held under this chapter or chapters 70.155,
10 70.158, 82.24, and 82.26 RCW, and books and records of common carriers
11 as defined in RCW 81.80.010, or vehicle rental agencies relating to the
12 transportation or possession of cigarettes or other tobacco products.

13 (2) The liquor control board may designate individuals authorized
14 to sign subpoenas.

15 (3) If any person is served a subpoena from the board for the
16 production of records, documents, and books, and fails or refuses to
17 obey the subpoena for the production of records, documents, and books
18 when required to do so, the person is subject to proceedings for

1 contempt, and the board may institute contempt of court proceedings in
2 the superior court of Thurston county or in the county in which the
3 person resides.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.24 RCW
5 to read as follows:

6 (1) For the purposes of obtaining information concerning any matter
7 relating to the administration or enforcement of this chapter, the
8 department, the board, or any of its agents may inspect the books,
9 documents, or records of any person transporting cigarettes for sale to
10 any person or entity in the state, and books, documents, or records
11 containing any information relating to the transportation or possession
12 of cigarettes for sale in the possession of a specific common carrier
13 as defined in RCW 81.80.010 doing business in this state, or books,
14 documents, and records of vehicle rental agencies whose vehicles are
15 being rented for the purpose of transporting contraband cigarettes.

16 (2) If a person neglects or refuses to produce and submit for
17 inspection any book, record, or document as required by this section
18 when requested to do so by the department, the board, or its agent,
19 then the department or the board may seek an order in superior court
20 compelling production of the books, records, or documents.

21 **Sec. 3.** RCW 82.26.105 and 2005 c 180 s 6 are each amended to read
22 as follows:

23 (1) For the purposes of obtaining information concerning any matter
24 relating to the administration or enforcement of this chapter, the
25 department, the board, or any of its agents(~~(7)~~) may inspect the books,
26 documents, or records of any person transporting tobacco products for
27 sale to any person or entity in the state, and books, documents, or
28 records containing any information relating to the transportation or
29 possession of tobacco products for sale in the possession of a specific
30 common carrier as defined in RCW 81.80.010 doing business in this
31 state, or books, documents, and records of vehicle rental agencies
32 whose vehicles are being rented for the purpose of transporting
33 contraband tobacco products.

34 (2) If a person neglects or refuses to produce and submit for
35 inspection any book, record, or document as required by this section

1 when requested to do so by the department, the board, or its agent,
2 then the department or the board may seek an order in superior court
3 compelling production of the books, records, or documents.

--- END ---