
Public Safety Committee

HB 2394

Brief Description: Concerning state liquor control board enforcement officers.

Sponsors: Representatives Moscoso, Takko, Ryu and Hope; by request of Liquor Control Board.

Brief Summary of Bill

- Designates the Washington State Liquor Control Board (WSLCB) as a general authority Washington law enforcement agency.
- Grants some current WSLCB employees with basic peace officer certification and requires others to complete a Criminal Justice Training Commission (CJTC) equivalency course.
- Provides that admittance to the CJTC's Basic Law Enforcement Academy is open to all law enforcement personnel including officers of the WSLCB.
- Exempts liquor control officers from membership in the Law Enforcement Officers' and Fire Fighters' Retirement System.

Hearing Date: 1/28/14

Staff: Yvonne Walker (786-7841).

Background:

The Washington State Liquor Control Board (WSLCB) was formed in 1933 by the Steele Act to regulate the importation, manufacture, distribution, and sale of alcohol. The WSLCB Enforcement and Education Division is responsible for enforcing state liquor and tobacco laws and regulations. The officers also provide alcohol education to liquor-licensed businesses, communities, and local law enforcement agencies.

Liquor and tobacco enforcement officers are limited-authority, commissioned law enforcement officers. Enforcement operations include: premises visits, compliance checks, undercover

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operations, and complaint investigations, while educational efforts include liquor law briefings, technical assistance visits, and "Responsible Alcohol and Tobacco Sales" classes. The WSLCB employs approximately 55 officers in the field. These officers have received roughly 440 hours of training at the Criminal Justice Training Commission (CJTC) or at an academy in the State of Idaho.

Limited Authority Agency. Limited authority Washington law enforcement agencies and officers have, as one of its functions, the apprehension or detection of persons committing infractions or violating traffic or specific criminal laws relating to limited subject areas. Agencies so designated include, but are not limited to: the Department of Natural Resources, the Department of Social and Health Services, the Gambling Commission, the Department of Corrections, the State Parks and Recreation Commission, and the WSLCB.

General Authority Agency. General authority Washington law enforcement agencies and officers, have, as their primary function, the detection and apprehension of persons committing infractions or violating the traffic or criminal laws in general of the state throughout the territorial boundaries of the state, as distinguished from a limited authority Washington law enforcement agency. It also includes any other unit of government expressly designated by statute as such an agency. The Washington State Patrol (WSP) and the Department of Fish and Wildlife (DFW) are general authority law enforcement agencies.

Law Enforcement Officers' and Fire Fighters' Retirement System. The Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) provides retirement benefits to full-time general authority law enforcement officers and firefighters throughout Washington. The LEOFF Plan 2 permits early retirement beginning at age 50 for members with 20 years of service with a 3 percent per year reduction to their retirement allowance up until the age of 53.

Summary of Bill:

The WSLCB is designated as a general authority Washington law enforcement agency, with enforcement authority equal to that of the WSP and the DFW. The WSLCB has the authority to enforce the traffic and criminal laws of the state throughout the territorial bounds of the state. Liquor control officers vested with police powers must enforce the rules of the WSLCB and must have and exercise, throughout the state, police powers and duties as are vested in sheriffs and peace officers.

Basic peace officer certification is granted to all current employees hired and commissioned by the WSLCB that have: (a) completed a CJTC Basic Law Enforcement Academy or the WSP Academy; (b) been certified as a basic peace officer or would have qualified for certification at the time of their employment or initial training with the WSLCB; and (c) continued to work as WSLCB law enforcement officers.

All current employees hired and commissioned by the WSLCB who have not completed a CJTC Basic Law Enforcement Academy but are employed by the WSLCB as liquor enforcement officers and have worked continuously in that capacity, must complete an equivalency course approved and conducted by the CJTC. Those liquor enforcement officers will be granted basic peace officer certification upon successful completion of the course.

Admittance to the CJTC's Basic Law Enforcement Academy is open to all law enforcement personnel, including an employee who is a peace officer or enforcement officer of the WSLCB. As a condition to continued employment, at least 30 percent of the liquor control officers as employed and selected by the WSLCB, must obtain and retain basic certification as peace officers by June 30, 2018.

The act does not provide liquor control officers of the WSLCB with membership in the LEOFF.

Appropriation: None.

Fiscal Note: Requested on January 22, 2014.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.