

SENATE BILL REPORT

SB 5472

As of February 3, 2019

Title: An act relating to reporting requirements for common carriers who transport liquor into the state.

Brief Description: Concerning reporting requirements for common carriers who transport liquor into the state.

Sponsors: Senators Saldaña, Walsh and Hasegawa.

Brief History:

Committee Activity: Labor & Commerce: 1/31/19, 2/05/19.

Brief Summary of Bill

- Requires common carriers delivering items known to contain liquor to submit a report containing shipment information to the Liquor and Cannabis Board and the Department of Revenue.
- Provides an exemption for deliveries made to licensed spirits, beer, or wine distributors or importers.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Richard Rodger (786-7461)

Background: Consumers who purchase wine from a domestic winery or from a winery holding a certificate of approval may have their purchases shipped directly to them. Out-of-state wineries may obtain a wine shipper's permit from the Liquor and Cannabis Board (LCB) allowing the winery to ship directly to Washington State residents. Private carriers used to deliver wine must obtain the signature of the person who receives the wine upon delivery, verify the age of the recipient, and verify the recipient does not appear intoxicated.

Out-of-state wineries, brewers, and distillers that have a certificate of approval with Washington State are authorized to ship their products directly to an authorized retailer. Washington State retailers with an endorsement to receive direct shipments from an out of state distillery, winery, or brewery must file a monthly report with the LCB.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

All varieties of liquor shipped to customers in Washington State are subject to applicable state liquor taxes.

Summary of Bill: A common carrier delivering items known to contain liquor must submit a report to the LCB and the Department of Revenue (DOR). Reporting requirements apply to all deliveries made to Washington State recipients, except deliveries made to licensed spirits, beer, or wine distributors or importers.

The report submitted to the LCB and DOR must include the name and address of the carrier, the item sender, and the item recipient. Reports must also include the shipment weight, the unique tracking number, the delivery date, and any other information the LCB or DOR reasonably requires. The carrier must submit reports by the end of the following calendar month in which the delivery is completed.

The reports must be available to the public through the Public Records Act; however, the LCB and DOR must redact the names and addresses of individual consumers receiving shipments.

Carriers willfully failing to submit reports are subject to a violation notification, and continued failure to submit reports may result in carrier license suspension and revocation.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Our organization reviews all alcohol and marijuana bills before the legislature using a checklist with our priorities. We believe the common carrier reporting requirements is a helpful regulation bill.

Persons Testifying: PRO: Seth Dawson, Association for Substance Abuse Prevention.

Persons Signed In To Testify But Not Testifying: No one.