

SENATE BILL REPORT

SB 5750

As of February 20, 2019

Title: An act relating to public disclosure of unaggregated financial, proprietary, or commercial information submitted to the liquor and cannabis board by a licensed distillery.

Brief Description: Exempting certain licensed distillery information from public disclosure.

Sponsors: Senators Hunt, Zeiger and Warnick.

Brief History:

Committee Activity: State Government, Tribal Relations & Elections: 2/20/19.

Brief Summary of Bill

- Exempts certain unaggregated financial, proprietary, or commercial information obtained from distillery applicants and licensees from disclosure under the Public Records Act.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Staff: Jarrett Sacks (786-7448)

Background: Licensed Distilleries. The Liquor & Cannabis Board (LCB) issues licenses to distillers to distill, blend, rectify and bottle spirits. Distillers producing 150,000 gallons or less of spirits with at least half of the raw materials used in the production grown in Washington are considered craft distilleries and pay a reduced license fee.

By rule, a distillery licensee is required to submit copies of its monthly records to the LCB, which contain financial information including, but not limited to, spirit production totals and daily sales details.

Public Records Act. The Public Records Act (PRA) requires state and local agencies to disclose requested written records to the public for inspection and copying upon request, unless the information fits into one of the various specific exemptions under the PRA or as otherwise provided in law. For example, certain financial, commercial, and proprietary information is exempt from public inspection and copying.

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.

Summary of Bill: Unaggregated financial, proprietary, or commercial information submitted to, or obtained by, the LCB in applications for distillery or craft distillery licenses, or in any reports or remittances submitted by distillery or craft distillery licensees, is exempt from disclosure under the PRA.

Appropriation: None.

Fiscal Note: Requested on February 18, 2019.

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: The bill protects proprietary information and keeps the playing field level.

Persons Testifying: PRO: Senator Sam Hunt, Prime Sponsor.

Persons Signed In To Testify But Not Testifying: PRO: Thomas Dooley, Heritage Distilling Company.