

SENATE BILL REPORT

SB 5405

As of January 27, 2023

Title: An act relating to modifying the liquor and cannabis board's subpoena authority relating to cannabis investigations.

Brief Description: Modifying the liquor and cannabis board's subpoena authority.

Sponsors: Senators King, Keiser and Wilson, C.; by request of Liquor and Cannabis Board.

Brief History:

Committee Activity: Labor & Commerce: 1/30/23.

Brief Summary of Bill

- Adds cannabis to the regulated product types subject to Liquor and Cannabis Board subpoena authority.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Jarrett Sacks (786-7448)

Background: The Washington State Liquor and Cannabis Board (LCB) administers and enforces liquor, tobacco, vapor product, and cannabis laws and regulations. Enforcement of these laws includes premises visits, compliance checks, undercover operations, and complaint investigations.

LCB has authority to inspect the books and records of common carriers in enforcing the cigarette tax law, and to inspect books and records of vehicle rental agencies used to transport cigarettes and other tobacco products.

LCB may issue subpoenas in connection with any investigation, hearing, or proceeding for the production of books, records, and documents held under the state's alcohol, tobacco, and vapor product laws, and books and records held by common carriers or vehicle rental

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

agencies relating to the transportation or possession of cigarettes, vapor products, or other tobacco products.

A person who refuses or fails to obey a subpoena issued by LCB is subject to contempt proceedings, and LCB may institute contempt of court proceedings in the superior court of Thurston County, or in the county in which the person resides.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): In addition to the state's alcohol, tobacco, and vapor product laws, LCB's subpoena authority is extended to documents held under the state's Uniformed Controlled Substances Act and the Medical Use of Cannabis Act, and books and records held by common carriers or vehicle rental agencies relating to the transportation or possession of cannabis.

A comma is added to clarify that certain provisions apply to both common carriers and vehicle rental agencies.

Appropriation: None.

Fiscal Note: Requested on January 18, 2023.

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

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