

RCW 70.155.110 Liquor and cannabis board authority. (1) The board shall, in addition to the board's other powers and authorities, have the authority to enforce the provisions of this chapter and RCW 26.28.080 and 82.24.500. The board shall have full power to revoke or suspend the license of any retailer or wholesaler in accordance with the provisions of RCW 70.155.100.

(2) The board and the board's authorized agents or employees shall have full power and authority to enter any place of business where tobacco products are sold for the purpose of enforcing the provisions of this chapter.

(3) (a) For the purpose of enforcing the provisions of this chapter and RCW 26.28.080 and 82.24.500, an enforcement officer of the board who has reasonable grounds to believe a person observed by the officer in proximity to a retailer licensee under chapters 82.24 and 82.26 RCW who is purchasing, attempting to purchase, or in possession of tobacco products is under the age of eighteen years of age, may detain such person in proximity to such retailer for a reasonable period of time and in such a reasonable manner as is necessary to determine the person's true identity and date of birth. Further, tobacco products possessed by persons under the age of eighteen years of age are considered contraband and may be seized by an enforcement officer of the board.

(b) Any enforcement officer who detains a person for the purpose of enforcing the provisions of this chapter and RCW 26.28.080 and 82.24.500 must collect the following information for each fiscal year since 2018:

(i) The total number of interactions where an enforcement officer detained a person;

(ii) Information on the nature of each interaction, including the duration of the interaction, the justification for the interaction, the number of such persons who were under 18 years of age, the number of such persons who were over 18 but under 21 years of age, and whether any citation or warning was issued;

(iii) How many interactions converted to administrative violation notices; and

(iv) How many of the interactions and administrative violation notices converted to retailer education and violations.

(c) The board must compile the information collected pursuant to (b) of this subsection, along with any associated demographic data in the possession of the board, and conduct a comparative analysis of all interactions of enforcement officers with persons detained for the purpose of enforcing Title 66 RCW and chapter 69.50 RCW into a statewide report and provide the report to the appropriate committees of the legislature by December 1, 2023, and annually thereafter.

(d) All enforcement officers of the board who enforce the provisions of this section and will have interactions with persons under the age of 18 years old must begin receiving training from the United States department of justice office of juvenile justice and delinquency prevention prior to July 1, 2024.

(e) For the purposes of this subsection, "proximity" means 100 feet or less.

(4) The board may work with local county health departments or districts and local law enforcement agencies to conduct random, unannounced, inspections to assure compliance. [2023 c 398 § 5; 1993 c 507 § 12.]

Findings—Enforcement—2023 c 398: See notes following RCW 70.155.080.