



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Revenue

Subject of possible rule making:

Chapter 39, Laws of 2012, (HB 2758) - Possible new rule to be added to WAC 458-20, titled *Brief adjudicative proceedings for matters related to suspension, non-renewal, and non-issuance of licenses to sell spirits.*

Statutes authorizing the agency to adopt rules on this subject:

RCW 82.32.300, 34.05.410(a)(1), and 82.01.060((2))

Reasons why rules on this subject may be needed and what they might accomplish: Chapter 39, Laws of 2012, (HB 2758) changed the Department of Revenue's (Department) ability to collect spirits taxes imposed under RCW 82.08.150 by allowing it to request suspension, non-renewal, or non-issuance of licenses to sell spirits in Washington for delinquency in reporting or remitting spirits taxes after Department notice to a taxpayer. The Department is considering a new rule to establish brief adjudicative proceedings for review of the notice prior to any Department request for suspension, nonrenewal, or non-issuance consistent with HB 2758.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Washington State Liquor Control Board (WSLCB). The Department will consult with and solicit feedback from the WSLCB.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Parties interested in this rule making may contact the individual listed below. The public may also participate by providing written comments throughout this rule making or giving oral testimony at the public meeting or public hearing.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

A preliminary discussion draft of the possible rule is not yet available. The Department expects to make available a preliminary draft rule via the Department's online [Rules Agenda](#) by July 24, 2012.

Written comments may be submitted by mail and should be directed to Tim Jennrich at either of the following addresses: email: TimJe@dor.wa.gov, or mailing address: Tim Jennrich, ITA Division, PO Box 47453, Olympia, WA 98504-7453.

Written and oral comments will be accepted at the public meeting.

Public meeting location:

Capitol Plaza Building
4th Floor L&P Conference Room
1025 Union Avenue SE
Olympia, Washington

Assistance for persons with disabilities:

Contact Mary Carol LaPalm (360) 725-7499 or Renee Cosare (360) 725-7514 no later than 10 days before the meeting date. For Hearing Impaired please contact us via the Washington Relay Operator at (800) 833-6384.

Date: July 25, 2012 **Time:** 1:30 p.m.

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| Date | June 27, 2012 |
| Name | Alan R. Lynn |
| Signature | |
| Title | Rules Coordinator |

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| OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED | |
| DATE: June 27, 2012 | |
| TIME: 11:13 AM | |
| WSR 12-14-042 | |