



Washington State
Liquor and Cannabis Board

Annual Report

Fiscal Year 2021



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Cover Photo: (left to right) Officers Alex Everson, Lt. Rick Smith, and Monith Leap standing in front of LCB Headquarters in Olympia, WA.

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Washington State Liquor and Cannabis Board

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Message from the Board

December 2021

Dear Residents of Washington,

It is our pleasure to present to you the Fiscal Year 2021 Liquor and Cannabis Board (LCB) Annual Report. This report provides details about the agency's accomplishments and operations from July 1, 2020 through June 30, 2021.

Highlights of Fiscal Year 2021

COVID-19. FY 2021 was entirely within the Stay Home, State Healthy protocols issued by Gov. Inslee to protect residents during the global pandemic. Throughout the year, the LCB continued to work efficiently and collaboratively with the public and stakeholders, albeit virtually. You will read about how the Board and staff worked with affected industries, particularly the hospitality industry, to quickly implement temporary allowances. Feedback from the industry was very positive as the allowances helped them continue to do business through their most challenging period.

Engrossed Second Substitute House Bill 1480. As the pandemic impacts have continued, the allowances remain important. Working with the Governor's Office, the LCB developed legislation to provide statutory authorization extending certain temporary activities. E2SHB 1480 allows specific activities for some types of liquor licenses to continue until June 30, 2023. Further, the law also requires the LCB to hire an independent entity to do a study in 2022 on the financial and societal impacts of the temporarily authorized activities. The legislature will be given the study to consider extending or ending the privileges scheduled to expire June 30, 2023. More about this new law and others pertaining to cannabis, alcohol, tobacco and vapor products can be found in the Legislative Session section at the end of the report.

Social Equity. The Board worked throughout the year to further understanding of diversity, equity and inclusion (DEI), applying its principles within the agency. In October 2020, the agency held five virtual listening sessions with communities of color. Board members, agency leaders and staff heard directly from community members about their interactions with the agency and how working together may be improved. Board Member Ollie Garrett served on the state's Social Equity in Cannabis Task Force that will deliver recommendations to the LCB in 2022 with criteria for issuing cannabis licenses to certain applicants disproportionately harmed by the war on drugs. The Board's commitment to DEI is ongoing and will continue to expand in 2022 with the agency's newly hired DEI Manager.

Thank you for your interest in the efforts of the Liquor and Cannabis Board. We look forward to another year of collaboration and working together to carry out our public safety mission.

Sincerely,



David Postman
Board Chair



Ollie Garrett
Board Member



Russ Hauge
Board Member



Rick Garza
Director

Board and Director Biographies

David Postman, Board Chair

David Postman, of Olympia, was appointed as Board Chair effective March 15, 2021. Prior to his appointment, David served as Gov. Inslee's chief of staff from Dec. 2015 until Nov. 15, 2020. He served in the Inslee administration since the governor took office in 2013, beginning as the executive director of communications.

Before joining the Inslee administration, David served as a senior director at Vulcan Inc., the company headed by Microsoft co-founder Paul Allen. David has a 26-year career as an award-winning journalist in Oregon, Alaska and Washington, including 14 years working as a political reporter for The Seattle Times.



Ollie Garrett, Board Member

Ollie A. Garrett, of Kirkland, was appointed to the Liquor and Cannabis Board in Aug. 2016. She is president and CEO of PMT Solutions, a Bellevue-based collection company that provides comprehensive check collection and receivable management services for businesses.

Garrett is serving her fifth term as President of Tabor 100, an association working to further economic power, educational excellence and social equity for African Americans and the community at large. Garrett is an at-large appointee of the King County Civil Rights Commission, co-chair of the Office of Minority and Women's Business Enterprises and an appointed board member of the Washington State Community Economic Revitalization Board, the Employment Security Advisory Board and the Washington Economic Development Finance Authority. She is also a member of the Rainier Vista Boys & Girls Club Advisory Board.



Russ Hauge, Board Member

Russ Hauge, of Kitsap County, was appointed to the Board in February 2015. Prior to joining the Board, he spent 33 years as a practicing lawyer. In his early career, he worked 10 years in a small Port Orchard law firm representing individuals and businesses. He was first elected Kitsap County's Prosecuting Attorney in 1994 and held that position until Dec. 31, 2014.

As Kitsap County's prosecutor, Russ was a member of the Washington Association of Prosecuting Attorneys (WAPA). He has served as WAPA's President, chair of its Legislative Committee, and as its representative on the State Sentencing Guidelines Commission, the Supreme Court's Minority and Justice Commission, the Sex Offender Policy Board, and the Washington Partnership Council on Juvenile Justice. Most recently, Russ served as a Senior Policy Advisor at the Justice Center of the Council of State Governments and has been appointed to serve as the chair of Washington's Sentencing Guidelines Commission.

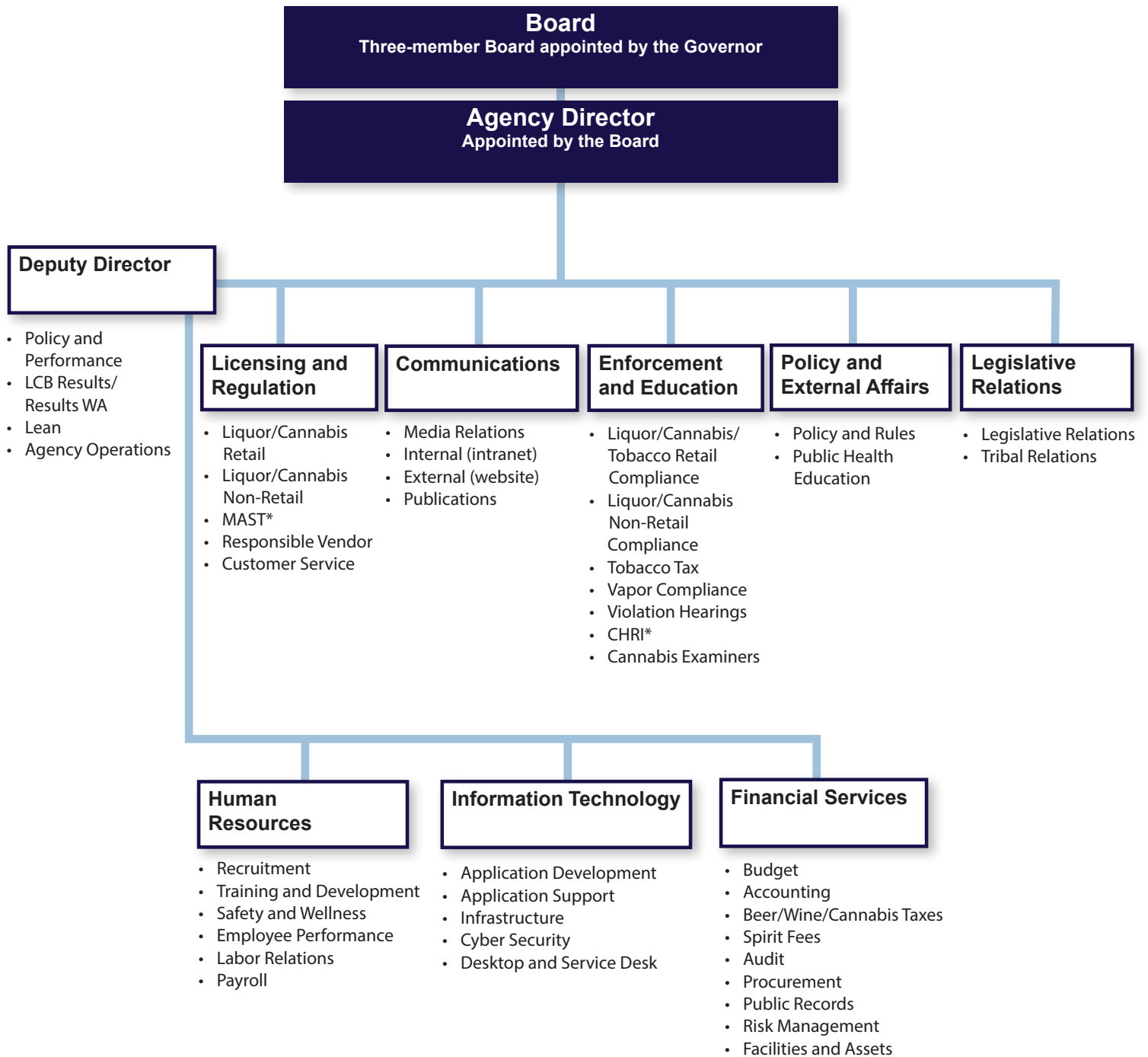


Rick Garza, Director

Rick Garza has been with the Liquor and Cannabis Board since 1997. During Rick's career with the LCB he has also held the positions of Legislative and Tribal Liaison, Policy Director and Deputy Director. Prior to joining the LCB, Rick served 13 years as a staff member for the Washington State Legislature, including five years with the Washington State Senate and eight years with the state House. His legislative assignments included Policy Analyst in the state Senate, House of Representatives Staff Director, and adviser to House and Senate leadership.



Organizational Structure



*MAST: Mandatory Alcohol Server Training
*CHRI: Criminal History Records Information

Enforcement and Education

Enforcement and Education Division

The Enforcement and Education Division provides public safety and strives for consistency in its approach to educating licensees and enforcing state law as it pertains to liquor, tobacco, vapor and cannabis products. Enforcement and Education staff also provide support and consultation to industry members, community stakeholders, other state agencies and local law enforcement agencies.

FY 2021 Staffing Chart

1	Director
2	Deputy Chiefs
7	Captains
24	Lieutenants
101	Officers
13	Compliance Consultants
1	Evidence Coordinator
1	Hearing Officer
2	Management Analysts
1	Program Manager
2	Criminal Records Coordinators
10	Support Staff
1	Advertising Coordinator
3	Program Specialists
6	Inspectors
3	Investigative Aides
178	Total Staff

Number of Licenses

Liquor	18,395
Cannabis	1,821
Tobacco	5,961
Vapor	3,973

One location may hold multiple licenses

Liquor Unit

Officers

Northwest	17
Southwest	20
East	17
Central	17
MIW	7

Cannabis Unit

Officers

Consultants

West	14	8
East	12	5

Tobacco Tax Unit

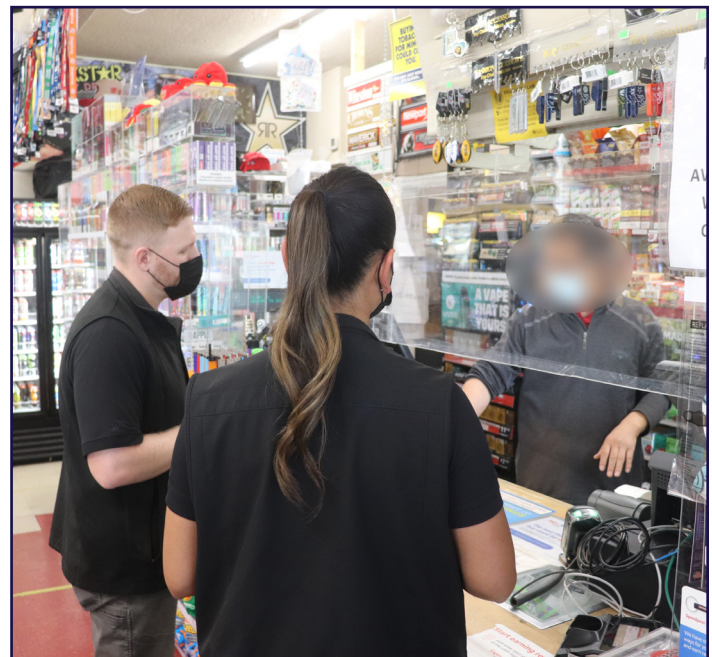
Officers

Statewide Unit	13
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Vapor Unit

Officers

Statewide Unit	6
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Enforcement and Education officers Monith Leap and Alex Everson provide assistance during a premise check.

Enforcement and Education

Enforcement & Education Approach

The Enforcement and Education Division uses a variety of tools to support licensees so they have the opportunity to understand and comply with the complex rules and laws associated with running a regulated business. These tools include, but are not limited to: premise checks, compliance checks, final inspections and online resources.

If a licensee violates a rule or law, officers consider the totality of the circumstances and determine the appropriate course of action to ensure understanding and future compliance. Officers may use education, a warning, a notice to correct, or an administrative violation notice (AVN). Administrative violation notices can result in a fine, temporary license suspension, or both. In more serious circumstances, officers may issue a criminal citation.

In the case of significant public safety issues, the Board may impose an emergency license suspension for up to 180 days. In cases of repeated public safety violations, the Board may permanently revoke a license if it is necessary to ensure public safety.

Support Visits

A support visit is a contact made with a licensee that contains a technical or educational aspect.

FY 2021 Support Visits	FY 2021*	FY 2020*
Licensee Support Visits	23,510	15,520
COVID-19 Licensee Support Visits	34,150	4,401

**2020 and 2021 activity was influenced by COVID-19 restrictions*

Premise Checks

Premise checks are random, physical checks of licensed locations by an officer to gauge compliance with rules and offer assistance or education to the licensee or to answer their questions.

FY 2021 Premise Checks	FY 2021*	FY 2020*
Liquor Premise Checks	31,969	41,246
Tobacco Premise Checks	2,227	5,529
Cannabis Premise Checks	3,568	4,044
Vape Premise Checks	2,321	5,141

**2020 and 2021 activity was influenced by COVID-19 restrictions*

Compliance Checks

The LCB prioritizes preventing youth access to age-restricted products in Washington State. Compliance checks are a specialized check involving an officer and an investigative aide (IA) who is 18-20 years old. These checks test compliance on sales of age-restricted products. The process involves a controlled attempt by the underage IA to purchase age-restricted, regulated products while under supervision of an LCB officer. The checks use a national best practice model. Compliance rates show the industry's success rate pertaining to preventing youth access. In FY 2021 compliance checks were paused until May 2021 due to COVID-19 restrictions.

FY 2021 Compliance Rates				
FY	Liquor	Cannabis	Tobacco	Vapor
2021*	75%	95%	75%	NA
2020*	87%	97%	92%	84%
2019	84%	96%	91%	87%
2018	81%	94%	89%	78%

**2020 and 2021 activity was influenced by COVID-19 restrictions*

Enforcement and Education

Compliance Checks

	FY 2021*	FY 2020*
Liquor	119	2,497
Tobacco/vapor	89	1,241
Cannabis	21	603

**2020 and 2021 activity was influenced by COVID-19 restrictions*

Administrative Violation Notice

When a licensee is issued a violation, the AVN includes information about the alleged violation including which rule was violated, how the rule was violated and the date of violation. Licensees accused of a violation can accept the recommended penalty, negotiate a compromise through an informal hearing, or request a formal hearing in front of an Administrative Law Judge. If a violation is found to have occurred, the outcome of an AVN includes issuance of a fine, a temporary license suspension, or both. In cases of repeated violations, a liquor license can be revoked by action of the Liquor and Cannabis Board.

Complaint Investigations

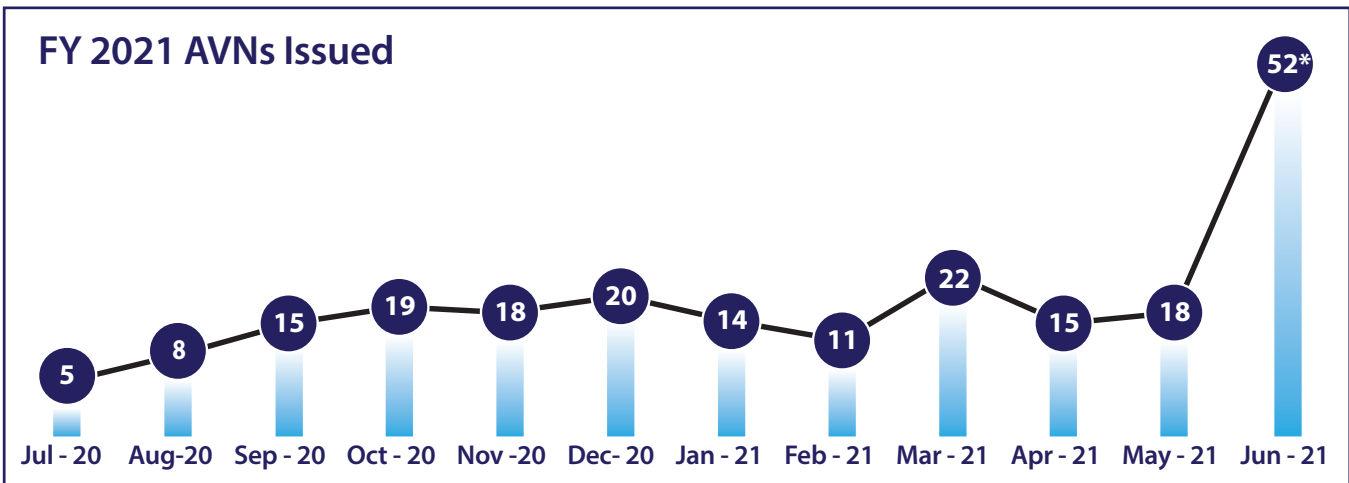
Complaints are reports of an alcohol, tobacco, vapor product, or cannabis violation received from the public or other stakeholders. The LCB Enforcement and Education Division will initiate a complaint investigation on received reports or allegations of violations of state rule or law.

FY 2021 Complaint Investigations

	FY 2021*	FY 2020*
Total Complaint investigations	11,466	5,345
Liquor	10,033	3,116
Cannabis	570	315
Tobacco/Vapor	863	581

**2020 and 2021 activity was influenced by COVID-19 restrictions*

FY 2021 AVNs Issued



**Compliance checks restarted in June 2021 and resulted in increased AVNs for COVID-19 restriction violations*

Enforcement and Education

Focus on Education

A foundational goal of the LCB is to build and maintain an education and outreach program to support partnership, knowledge and information access. We increase public safety through education that assists licensees with understanding and staying in compliance with Washington State rules and laws.

Top Educational Topics	Contacts	% of Total
COVID-19	15,084	52%
Regulatory	5,766	20%
Youth Access to Liquor	1,389	5%
Public Safety - Over-Service	1,193	4%
Public Safety - General	815	3%

Total Educational Contacts

Unit	Contacts	Hours	People
Liquor	23,496	3,259	29,361
Cannabis	4,615	1,584	8,905
Tobacco/Vapor	882	194	1,230
Total	28,993	5,037	39,496

COVID-19 Emergency Operations Center Complaints and Compliance

Per Gov. Inslee's emergency proclamations, the division continued to support the State Emergency Operations Center (EOC) in response to COVID-19. The EOC receives complaints from the public and other stakeholders about businesses who carry a state license or certification who are allegedly not complying with state COVID-19 proclamations. The EOC sends complaints to applicable agencies for follow-up and enforcement. Incoming complaints about Liquor, Cannabis, Tobacco and Vapor licensees are investigated to verify if the allegations are valid and to determine the most appropriate course of action to gain compliance.

Division-wide COVID-19 Efforts

COVID-19 Complaints Received	10,052
Hours of COVID-19 Education	1,972
Number of COVID-19 Educational Contacts	15,510
Warnings Given	542
Administrative Violations Issued	83

Liquor Unit

The Retail Liquor Unit is divided into four regional areas throughout Washington (Northwest, Central, Southwest and East). This unit contributes to public safety by ensuring legal and responsible sales at over 18,000 licensed retail liquor businesses.

The unit primarily focuses on preventing youth access and over-service sales. Retail officers carry out enforcement operations such as compliance checks, undercover operations, complaint investigations and premise checks. They also conduct technical assistance license and support visits providing education to licensees on state liquor laws and rules and are available for licensee questions.



Enforcement and Education officers Monith Leap and Alex Everson.

The Enforcement and Education Division partners with the Licensing and Regulation Division to facilitate the Responsible Vendor Program that provides technical assistance, training and education to participating licensees.

The Manufacturers, Importers and Wholesalers (MIW) team is a separate team assigned to these industry members. MIW works directly with industry members by assisting with final inspections, providing education and investigating industry-related complaints to verify compliance.

Cannabis Unit

The Cannabis Education and Enforcement Unit consists of 26 commissioned staff who regulate 1,821 licensed producers, processors and retailers. The unit also includes 13 Compliance Consultants who provide education and licensee support. This unit provides public safety by ensuring the legal and responsible sale of cannabis at retail businesses. They focus on youth access, conduct, preventing diversion, license integrity issues and pesticide use. This unit provides inspections of license applicants, specific education for new licensees, ongoing education for all licensees, security and traceability system compliance and ensuring licensed operations are conducted by the true party of interest.

In Jan. 2021, the Enforcement and Education Division added Compliance Consultants to their Cannabis Unit to provide education and technical assistance to licensees. The consultants are assigned to geographic areas to provide statewide coverage, facilitate consistency and build strong working relationships. Compliance Consultants can conduct final inspections and briefings to help licensees get started, plan walkthroughs to help licensees identify compliance gaps and help address concerns. They assist with cannabis industry training and attend industry meetings.

The team is also available for Cannabis Consultations upon request, allowing licensees to request assistance in proactively identifying and resolving compliance issues or concerns.

Tobacco Tax Unit

The LCB Tobacco Tax Unit has 14 commissioned employees who provide services to 5,961 licensees statewide. This dedicated unit pursues strategies to reduce smuggled, contraband and otherwise untaxed cigarette and tobacco products in the state. In FY 2021, the Tobacco Tax Unit referred over \$10 million to the Department of Revenue for review and collection of unpaid tobacco taxes.

The Tobacco Tax Unit's goal is to influence the trafficking and sale of un-taxed tobacco products and to enforce the Master Settlement Agreement. The Master Settlement Agreement imposed restrictions on the tobacco industry, providing requirements for how they must operate. This unit enforces all regulations associated with sales and transportation of tobacco products.

Between July 2020 and June 2021 the Tobacco Tax Unit assisted the East Retail Liquor Region with the majority of off-premises COVID-19 complaints through follow-up and complaint closure.

The unit maintains state and federal partnerships, including two Tobacco Tax Federal Task Force members. The unit educates wholesalers, distributors and retail licensees on tobacco laws and rules. In FY 2021 the agency received asset sharing from cases worked with the Alcohol Tobacco and Firearms (ATF) in the amount of \$464,000.

Enforcement and Education

Vapor Unit

The Vapor Unit has six commissioned employees who provide services to 3,973 licensees statewide. The purpose of the unit is to enforce laws, provide Washington residents with consumer protection, increase child safety and eliminate youth access. The team also conducts internet enforcement and helps ensure vapor licensing requirements are met. The unit educates vapor product retailers, distributors, wholesalers and delivery sales licensees on vapor laws and rules.

The team assisted other LCB units including helping with seizures, surveillance, undercover details, audits and serving search warrants. They conducted over 220 hours of surveillance of licensed locations for complaints of product diversion. They also issued Board-authorized emergency suspensions for criminal conduct, violation of suspension and aggravated instances of repeated violations for sales to minors.



At a tobacco retailer, officers Crystal Brassard and Doug Jones process inventory during an investigation.

Food and Drug Administration (FDA)

Tobacco Inspections

Under federal authority, the LCB conducts tobacco inspections in support of federal regulation of the manufacture, distribution, and marketing of tobacco products to protect public health.

The FDA Tobacco Inspection Program is comprised of nine staff who maintain FDA-commission credentials and conduct tobacco inspections at licensed tobacco retailers in the state. Due to the COVID-19 pandemic, the FDA issued a stop-work order on March 19, 2020. The unit's work contractually shifted to assist the Employment Security Department (ESD) with the high demand on the state unemployment claims system and the ESD hiring process. Limited inspections resumed on Oct. 1, 2020.

FDA Inspections and Violations

529 inspections conducted
138 violation referrals to FDA for sales to minors

Evidence Unit

The Evidence Unit consists of one Evidence Custodian who handles statewide evidence in compliance with Washington State law or rules. This includes final disposition of items of evidence once cases are concluded. The product may be returned to its original owner or destroyed, depending on the case outcome.

During FY 2021 the Evidence Unit upgraded its evidence handling software and facility in order to meet best practices for property storage. This was completed in June 2021 in collaboration with Support Services and the state's Department of Enterprise Services.

Hearings

The Hearings Unit manages the Alternative Dispute Resolution (ADR) process for the LCB, which affords licensees the opportunity to discuss and mitigate penalties under recent liquor, cannabis or tobacco violations. Mitigations involve a wide range of possibilities. One often-used mitigation includes the licensee demonstrating they have purchased age-verification technology to minimize underage sales. In addition to transitioning cases to the formal hearing process, this team of two collaborates closely with officers, lieutenants and captains of the division to prepare cases for the ADR process.

Hearing Outcomes

Informal hearings conducted	174
Cases resolved at informal hearing	143
Cases forwarded to the Board for formal hearings	31

Training Unit

The Training Unit provides training to officers and other employees within the division. New officers attend the Basic Law Enforcement Academy in Burien and an on-site Field Training Program. The Training Unit coordinates agency-required core training, the Leadership Road Map and additional division-specific training.

FY 2021 brought challenges regarding traditional methods of training, but also provided the opportunity for modifications and new techniques. Officers received trainings to improve their knowledge, skills, and abilities using public safety training resources such as Lexipol, Blue to Gold and National White Collar Crime Center. Officers continued to work in the field throughout the COVID-19 pandemic to ensure public safety.

New Leadership

Welcome Director Brady

In Feb. 2021, the Enforcement and Education Division welcomed Director Chandra Brady into their division. Director Brady has over 28 years of experience in general law enforcement, corrections and partnering with the community. Leadership is central to Director Brady's career, future plans and work at the LCB. She has a history of broad leadership within each organization of which she has been a part. She has a Bachelor's Degree in Public Administration, a Master's Degree in Organizational Leadership, and is currently seeking a Ph.D. in Organizational Leadership.



Chandra Brady took the helm as Director of the Enforcement and Education Division in Feb. 2021.

Enforcement and Education

It's About the Future

In May 2021 the Enforcement and Education Division began work on a five-year strategic plan. The entire division attended workshops with the Results Group to learn about the strategic planning process and gain the tools to participate as the plan moves forward.

The division leadership team worked together to create a mission in line with the agency's mission, vision and values:

The mission of everyone associated with the Washington State Liquor and Cannabis Board Enforcement and Education Division is to consistently contribute to our state's international reputation as a safe place to live, work, conduct business, play, learn and visit.

We accomplish our mission through providing the highest quality education, enforcement and support services as is possible within the resources provided to us.

We are recognized as a go-to resource throughout the state, as professional, compassionate, responsive, fostering community partnerships and as adding value in return for the funds with which we are entrusted.

The six areas of focus for the strategic plan are:

- **Board and Stakeholder Relations:**
Be responsive to the Board and our stakeholders
- **Leadership and Management Services:**
Practice intentional leadership
- **Operations Services:**
Pursue public safety and regulatory compliance
- **Administrative Services:**
Provide exceptional service to internal and external customers
- **Education and Industry Relationships:**
Educate and inform stakeholders and staff
- **Partner Services:**
Partner with others to align resources with community needs



Enforcement and Education staff gathered for their annual 2021 in-service training event.

Licensing and Regulation

The Licensing and Regulation Division administers all licenses and permits for the sale, service, manufacturing and distribution of alcohol and cannabis for the State of Washington. The division consists of nearly 70 employees and is the second largest division in the LCB.

Cannabis Social Equity Program

The division is committed to supporting the Cannabis Social Equity Program. The division led the effort to create a dedicated resource on the LCB website providing information about the Cannabis Social Equity Program and cannabis licensing requirements. The new program is intended to create pathways for those disproportionately harmed by the war on drugs to increased access to retail cannabis licenses. The legislature established a Legislative Task


Force on Social Equity in Cannabis to provide recommendations to the LCB about how to structure the program.

Over the past year, the division responded to requests for information and data from the Legislative Task Force, connected with local jurisdictions to provide information about the Social Equity Bill and is evaluating the LCB retail cannabis application process to provide more flexibility and reduce barriers for social equity applicants.

COVID-19 Pandemic Impact

The division continued to receive increased alteration applications as liquor and cannabis licensees sought to modify their business operations to respond to guidelines and mandates set during the COVID-19 pandemic.

Cannabis Social Equity



Governor Inslee signed E2SHB 2870 into law opening a new chapter for Washington's cannabis industry. Social equity in cannabis legislation, introduced by Rep. Eric Pettigrew at the request of the Liquor and Cannabis Board (LCB) took effect June 12, 2020.

LCB has a fact sheet about the new law, which can be found [here](#).

Future updates on the progress of social equity in cannabis will be added here.

July 29, 2020 Update

Support for Task Force
Staff support for the Social Equity in Cannabis Task Force is initially provided by the [Governor's Interagency Council on Health Disparities](#). The new Office of Equity, created under separate legislation, will take on the responsibility of providing staff support to the Task Force in the future.

Agency Progress
The LCB is establishing an internal employee work group from divisions within LCB to offer a range of expertise to make sure the agency is ready for the Social Equity licensing process.

The LCB is committed to continuing to build capacity for Social Equity in Cannabis as demonstrated in recent agency requested legislation to expand access to cannabis licenses to applicants disproportionately impacted by the nation's war on drugs.

Licensing and Regulation

In an effort to support licensees, the division:

- Created resources to assist licensees to meet state indoor dining requirements and capacity limits
- Accommodated license applicants who had construction or permitting delays
- Responded to ongoing temporary allowance requests
- Prorated or waived license renewal fees for businesses that were unable to operate during the pandemic

In 2021, the legislature passed two bills related to reducing impacts from the COVID-19 pandemic on liquor-licensed establishments. Senate Bill 5272 temporarily waived license renewal fees for a 12-month period for many on-premises liquor licenses. The division worked collaboratively to implement House Bill 1480, which temporarily extends certain privileges for over 11,000 liquor license holders including restaurants, taverns, snack bars, non-profit art organizations, caterers, breweries, wineries and distilleries.

Rulemaking is underway and the division plans to accept and process applications for these endorsements in Dec. 2021.

Customer Service Unit

The Customer Service Unit supports internal and external customers by answering phone calls and correspondence regarding state liquor and cannabis licensing protocols, rules and regulations. The Customer Service Unit responded to over 13,000 phone calls throughout the past year. The unit also supports the division by issuing licenses, adding endorsements, liquor permits and liquor license alteration requests.

Liquor Permits and Special Occasion Licenses Issued

Agents Licenses	2586
Raffle Permits	136
Special Occasions	661
Wine Association Events	3
Other	1539

Increased Liquor Alteration Requests

The Customer Service Unit continued to process premises alteration requests for liquor license establishments, such as adding outdoor dining. As licensees responded to COVID-19 mandates, the number of alteration requests increased substantially, and the unit received nearly 1,500 alteration requests, over twice as many requests received the year prior. Despite the increase in applications, the unit approved alteration requests in an average of 12 days.

Liquor Licensing Unit

The Liquor Licensing Unit processes applications for retail establishments that sell alcohol for on-premises and off-premises consumption. The unit also processes applications for non-retail establishments that manufacture, import, wholesale and distribute alcohol products.

The Liquor Licensing Unit received nearly 2,300 applications for new liquor licenses and over 1,100 applications for changes to existing liquor licenses. The unit approved almost 2,500 license applications during the last fiscal year, of which 1,500 were for new licenses.

Active Liquor License Count

	2019	2020	2021
Retail	18,235	18,376	18,473
Non-Retail	7,690	7,963	8,216

Applications at Pre-Pandemic Levels

The unit received an increase in applications this year, which aligned with pre-pandemic numbers. The rebound in applications can be attributed to

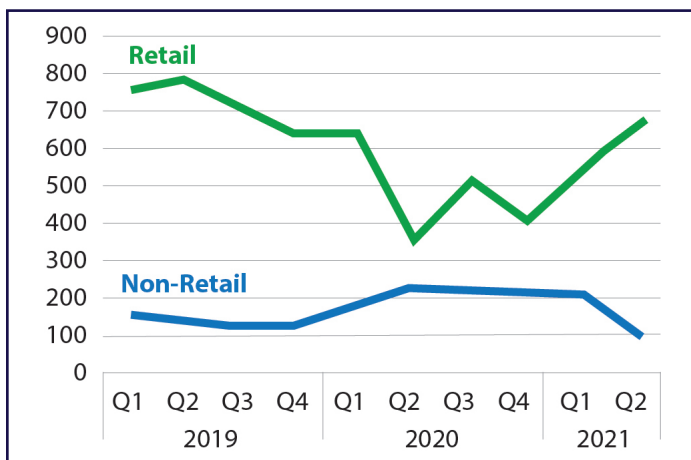
Licensing and Regulation

the state re-opening and COVID-19 allowances implemented to help businesses during the pandemic. In calendar year 2019, the unit received 4,149 applications, nearly 1,000 more applications than in 2020. In 2021, a total of 3,084 applications have been received, with additional months remaining in the calendar year.

New Retail Licenses Types Issued Between FY2019 and FY2021

	2019	2020	2021
Beer/Wine Restaurants	402	346	270
Beer/Wine Specialty Shops	50	44	75
Catering	18	18	11
Combo S/B/W Grocery	N/A	N/A	22
Combo S/B/W Specialty Shop	N/A	N/A	3
Gift Delivery B/W	4	11	23
Grocery Stores	189	174	159
Hotels/Motels	22	18	14
Night Clubs	16	11	3
S/B/W Restaurants	449	362	279
Sports Entertainment Facilities	8	4	0
Snack Bars	30	39	29
Spirit Retailers	16	11	6
Taverns	27	45	22
Theaters	7	10	2

Liquor Applications Received



Cannabis Licensing Unit

The Cannabis Licensing Unit processes applications for cannabis retailers, producers, processors, transporters and researchers. The unit also oversees the registration for cooperatives and Retail Title Certificates.

There are currently 1,800 active cannabis licenses, and 46 Retail Title Certificate holders.

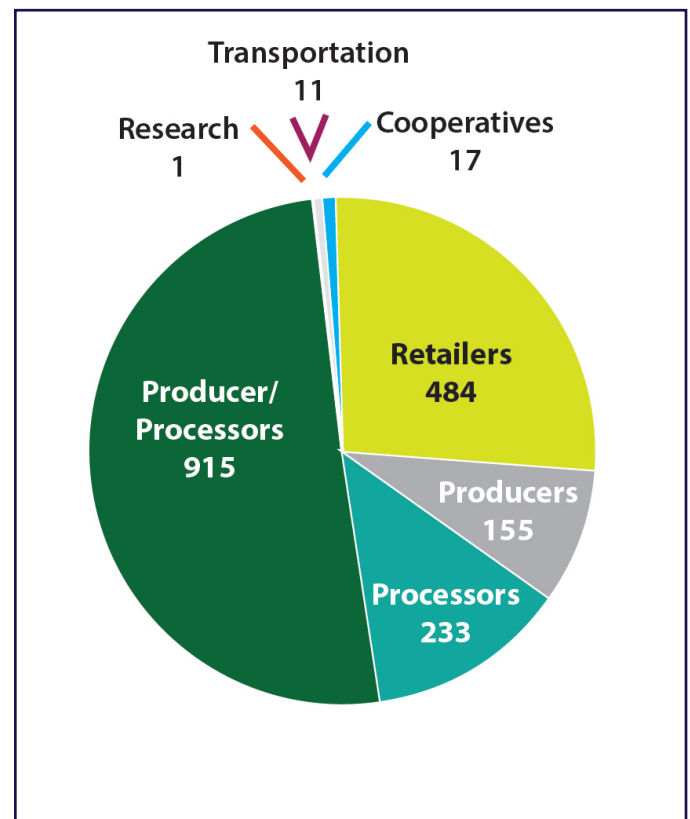
Change Requests for Existing License Holders

This year, the unit received over 750 cannabis applications. The most common applications continue to be alterations to the premises and change of ownership applications.

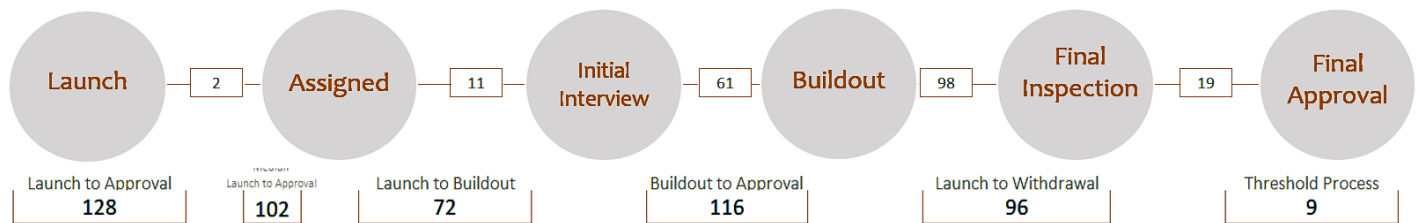
Cannabis Change Applications Approved

Producers and Processors	575
Retailers	186

Active Cannabis Licenses



Licensing and Regulation



Licensing Data Dashboard displaying "Average Processing Time" in number of days.

Simplified Alteration Requests

In Feb. 2020, the Cannabis Licensing Management Team connected with applicants who recently applied to make changes to their license. The team used design thinking principles to understand potential areas of improvement by asking questions to assess customer service, timeliness, education provided and responsiveness. The feedback provided directly from license applicants helped the unit create a pilot program to simplify license alteration requests.

Alteration requests are for licensees making changes to their floor plan, such as adding rooms, walls or other similar modifications that do not require vetting of external funds or real property changes. The pilot program was successful and has become a permanent process. The division moved this work to the Customer Service Unit in early Oct. 2021.

Licensing Policy and Education Unit

The Policy and Education Unit consists of the Licensing and Regulation Division Training Team, Data Team and the Education Team. The unit works collaboratively with employees in the division to implement liquor and cannabis rules and legislative and policy actions. The unit supports agency data requests and administers mandatory training and outreach programs for alcohol licensees.

Training and Development Team

The Licensing Training Team has focused on developing training and resources for internal and external customers. The team implemented training and provided resources on policy, rule and

legislative changes, and provided training sessions on licensing topics to standardize processes for licensing employees. As workload demands shifted due to the state re-opening, the team worked with units across the division on training needs to support the significant increase in special occasion applications and requests for business alterations received by the division.

Licensing Data Dashboards

The division places a high priority on making data-driven decisions. With the goal of consistent and accurate data, the team created dashboards for both the liquor and cannabis units. These dashboards allow for quick access to real-time licensing data and are used to detect data discrepancies, review application timelines and trends.

Alcohol Impact Areas

Alcohol Impact Areas provide local authorities a process to mitigate problems with chronic public inebriation or illegal activity linked to the sale or consumption of alcohol within a geographic area of their city, town or county. Once established, the off-premises sale of alcohol products may be restricted by limiting business hours, container sizes or prohibiting certain alcohol products. Local authorities are required to submit a report to the LCB every five years, evaluating the effectiveness of the Alcohol Impact Area and including comments from interested parties. This year, the division administered the five-year assessment for Alcohol Impact Areas in Downtown Spokane and Tacoma's West End.



The Responsible Vendor Program (RVP) encourages retailers selling alcohol for off-premises consumption to adopt best practices and ensure liquor is sold responsibly. This year, over 1,800 grocery store employees completed the responsible alcohol sales online training courses available in English, Korean and Spanish.

A MAST permit is required by law for anyone who serves alcohol for on-premises consumption, including those who manage a licensed liquor establishment or conduct alcohol tastings. The division issued nearly 22,000 new MAST permits to individual servers. There are over 205,000 MAST permit holders throughout Washington State.

The Compliance and Adjudication Unit reviews applications, licenses and renewals when it has been determined that licensing qualifications have not been met. The unit reviews applications for circumstances such as criminal history, unpaid taxes, misrepresentation or administrative violation history requirements. Once reviewed, the unit determines if the application or license will be approved, denied or suspended. This year, the Board affirmed 99% of the unit's decisions to deny or suspend a license. The unit supports the division by managing bankruptcies, receiverships, sports entertainment facility operating plans and packaging and labeling requirements for cannabis and liquor products.

On Dec. 22, 2020, the Board allowed the sale of alcohol-infused frozen products in Washington State with approval from the division. The division began reviewing submissions for frozen alcohol products and labeling compliance. Since Jan. 2021, the program has received 98 products for review. Of those, 92 received approvals to sell in Washington State and six were denied for being especially appealing to youth. The unit works directly with licensees to assist them with product and labeling compliance.

The unit works with Sports Entertainment Facilities that request to expand alcohol service levels. The unit prepares a request to the Board with data relating to the facility's ejection rates, DUI rates, incidents linked to over-intoxication, violation history and input from the local jurisdiction. If the request aligns with public safety goals, the Board may approve a pilot program for a determined length of time with an evaluation date for permanent approval. To date, four Sports Entertainment Facilities have received pilot program approvals, one of which has gone into permanent status.

Public Health, Prevention and Research

Public Health Program

The Public Health Program supports the public safety mission of the agency by addressing prevention of underage drinking and cannabis use and the reduction of high-risk use by adults. Addressing the ongoing concerns on youth vaping has been a growing focus in light of increasing rates of vaping among youth in Washington and across the nation.

The LCB engages many agencies and statewide organizations to coordinate efforts and align work toward the common goal of healthy and safe communities for Washington's residents.

An important feature of this program is providing research-based data and soliciting stakeholder feedback, which helps inform agency policy work.

Public health and prevention stakeholders work closely with this program to get up-to-date information, better understand rules and legislation (both current and proposed) and to access resources.

Educating and Engaging

The COVID-19 pandemic continued to alter the way in which education and engagement efforts could be implemented, as there were very few in-person activities. Information and resources for cannabis and alcohol education and underage prevention efforts were provided through:

- Virtual gatherings of stakeholders
- Online presentations and webinars to local, state and national groups
- Email and phone responses to individual requests
- LCB Listen and Learn Sessions and other rulemaking activities which encouraged public health partners to engage in these processes

Working Together, Maximizing Resources

Addressing and preventing underage drinking and cannabis use requires the combined efforts of communities, schools, families and individuals.

Multiple government agencies and statewide organizations work together to determine strategies, develop and distribute resources and provide mentoring and support to communities.

An important collaboration has been the partnership with other agencies, particularly the Department of Health, to increase awareness of the potential concerns of delta-8 tetrahydrocannabinol (THC) which may be present in unregulated products. These efforts continue.

The Public Health Education Liaison serves as co-chair of the Washington Healthy Youth (WHY) Coalition and serves on the Coalition's Communication and Policy workgroups. The agency continues to be a sponsoring agency for the biennial Washington Healthy Youth Survey and the annual Washington Prevention Summit. As such, staff participate in the Healthy Youth Survey Planning Committee as well as the Summit Planning Committee. Additional involvement includes the Strategic Prevention Enhancement Consortium, the WA Impaired Driving Advisory Council and the Cannabis Interagency Group.



Sara Broschart served as LCB's Public Health Education Liaison in FY 2021.

Agency Performance

Results Washington

Results Washington is the performance accountability program that measures results for all state agencies. It is the primary method used by Gov. Inslee to implement his vision, mission and key goals for a working Washington. The goal areas include:

- World Class Education
- Prosperous Economy
- Sustainable Energy and a Clean Environment
- Healthy and Safe Communities
- Efficient, Effective and Accountable Government

During FY 2021 there were significant re-alignments to the state performance results structure, key goal areas and more specific statewide priorities. The LCB gave feedback on key program activities including results reviews, ongoing performance tracking metrics and Lean process improvement.

Design Thinking

The LCB's Licensing and Regulation Division has prioritized "design thinking" approaches to improve its services. Principles include a heavy focus on customer voice and experience when considering improvements to core processes. After using this method to review the liquor licensing process, a Starter's Guide and visual roadmap for license applicants was developed. Online videos and the reduction, simplification and consolidation of forms were also completed. Design thinking was used by Cannabis Licensing which improved their customer feedback response rate from 5% to 95%.

Public Performance Reviews

This year, public performance reviews were implemented with an enhanced focus on specific governor-prioritized topics. The reviews included supporting charters, designated agency

participation and ensuring community voices and diversity, equity and inclusion were incorporated.

Results Washington review sessions were held virtually. LCB staff attended sessions and applied core themes to agency programs and services.

LCB Results

LCB Results is the agency's long-term performance program. Sessions are held with employees and agency leaders addressing topics such as license and permit processing, enforcement, education, outreach, human resources, risk management, budget and administrative functions. Topics also include data trends, program targets and results.

Division-level results sessions are also held to address these and other topics, giving program and unit staff the opportunity to participate in the continuous improvement process.

Continuous Process Improvement

Improving operational processes is a core value at the LCB and embedded within the agency's daily work. A significant number of agency employees have participated in "Lean" process improvement and problem-solving training, including the annual Lean Conference, and/or participated in improvement activities.

During the past year the Beer and Wine Tax Unit improved a process that identifies and recaptures tax revenue missing from out-of-state licensees. They automated the task of building their analysis report, reducing the time it takes from two days to less than 30 minutes, while also allowing the recapture of more tax revenue, reducing human error and improving employee engagement.

Policy and Rules

Policy and Rules Program

The Policy and Rules Program provides a critical function for agency policy development. The core work of the unit involves developing agency rules for alcohol, cannabis, tobacco and vapor products to meet priorities of the Board. They also conduct rulemaking to implement legislation, keep licensees abreast of legislative changes and respond to stakeholder requests.

Additionally, the team researches emerging issues for objective evaluation of policy impacts, identifies best practices from other states and actively engages in risk mitigation during rule development. The unit works collaboratively with the Board, agency divisions and a wide range of external stakeholders to develop policies on public safety priorities that support safe communities and result in consistent, reasonable and fair administration of law.

FY 2021 brought many challenges related to the COVID-19 pandemic. Initial work involved emergency rulemaking to support compliance with Gov. Inslee's proclamations.

The agency policy workgroup also identified ways to assist licensed businesses during the state's re-opening plan. Workgroup members reached out to licensees, trade organizations and other state and local agencies to develop allowances and responses that supported public health and safety compliance, as well as contributed to consistent and reasonable application of laws and mandates across multiple state agencies. In FY 2021, the agency tackled 46 unique topic areas, and provided allowances in areas including:

- Curbside sales and delivery of alcohol
- Sales of pre-mixed cocktails to-go and via delivery
- Outdoor or extended alcohol service areas
- Distributors assisting manufacturers with supply chain services

- Minors on the premises of cannabis producers
- Cannabis curbside sales and service

In total, 22 allowances were developed to mitigate pandemic impacts on LCB-licensed businesses.

The unit also continued to implement approaches to get more upfront and inclusive involvement and feedback from stakeholders during rule development processes. In FY 2021 six "Listen and Learn" model and three "Deliberative Dialogue" sessions attracted a large number of participants. These approaches had a positive impact in engaging stakeholders in rule development before rule proposals (CR 102) were filed. These collaborative processes reduced the number of amendments and edits needed after public hearings, minimizing delays in rule making. In total, the agency implemented 11 rule projects, three of which were emergency rules.

During FY 2021, the team developed and implemented new approaches, driven by a goal to improve internal consistency and external understanding of the agency's interpretations of laws, rules and policy. The approaches involved the development of interpretive and policy statements, incorporating historical background, comprehensive issue analysis and documentation of how decisions or positions were established. Agency interpretive and policy statements may arise from external requests, or identified internal needs for consistency.

Interpretive statements in FY 2021 included:

- CBD Retail Sales in Licensed I-502 Stores
- Allowable Practices for a Holder of a Marijuana Processor License

Policy statements in FY 2021 included:

- Tetrahydrocannabinol (THC) compounds other than delta-9 and the conversion of CBD, hemp, or both to delta-8 THC, delta-9 THC
- Giveaways at Licensed Cannabis Retail Stores

Income

Liquor Taxes and License Fees (includes penalties)

Spirits Fees	\$ 172.5	\$ 201.7
Beer Tax	30.1	31.1
Wine Tax (not including assessment)	26.5	27.3
Liquor License Fees	15.5	12.4

Total Liquor Income

\$ 244.5 million **\$ 272.7 million**

Cannabis Taxes and License Fees (includes penalties)

Cannabis Tax	\$ 469.2	\$ 555.4
Cannabis License Fees	4.8	4.1

Total Cannabis Income

\$ 473.9 million **\$ 559.5 million**

Tobacco

Tobacco Related Income	\$ 0.4	\$ 0.4
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Total Tobacco Income

\$ 0.4 million **\$ 0.4 million**

Total Income

\$ 718.9 million **\$ 832.6 million**

Expenses

Operating Expenses

Licensing	\$ 5.4	\$ 5.3
Enforcement	16.6	15.9
General	23.7	27.5

Total Operating Expenses

\$ 45.6 million **\$ 48.7**

Distributions/Appropriations

Distributed to State/Local Governments	\$ 559.2	\$ 707.5
State Agency Appropriations	66.7	70.9

Total Distribution/Appropriations

\$ 625.8 million **\$ 778.4 million**

Total Expenses/Distributions

\$ 671.5 million **\$ 827.1 million**

Financial Statement

Income

	FY 2020	FY 2021	Difference
Liquor Taxes and License Fees (includes penalties)			
Spirit Fees	\$ 172,453,017	\$ 201,748,821	\$ 29,295,803
Beer Tax	30,076,121	31,131,976	1,055,854
Wine Tax (not incl. assessment)	26,479,857	27,346,738	866,881
Liquor License Fees	15,476,379	12,423,015	(3,053,364)
Total	\$ 244,485,376	\$ 272,650,550	\$ 28,165,174
Other Liquor Income	\$ 21,340	\$ 8,964	\$ (12,376)
Cannabis Taxes and License Fees (includes penalties)			
Cannabis Tax	\$ 469,159,137	\$ 555,412,310	86,253,173
Cannabis License Fees	4,771,247	4,077,958	(693,289)
Other Cannabis Income	967	3,206	2,239
Total	\$ 473,931,352	\$ 559,493,474	\$ 85,562,122
Tobacco Income Total	\$ 444,731	\$ 409,283	\$ (35,448)
Other General Fund Income	\$ 394	\$ 34	\$ (360)
Total	\$ 718,883,193	\$ 832,562,306	\$ 113,679,113

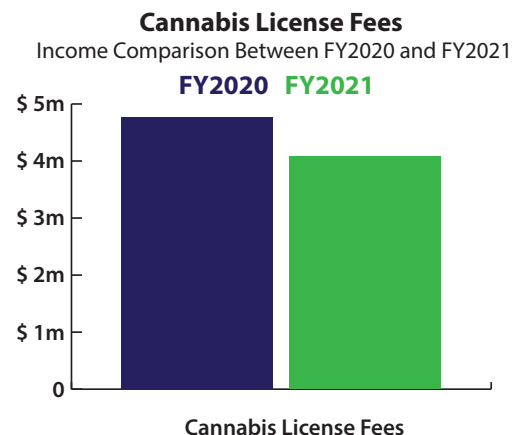
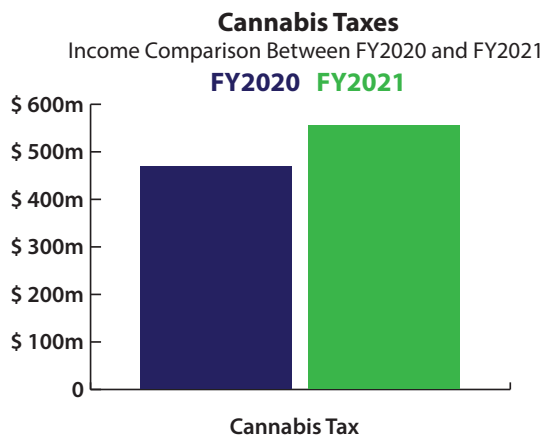
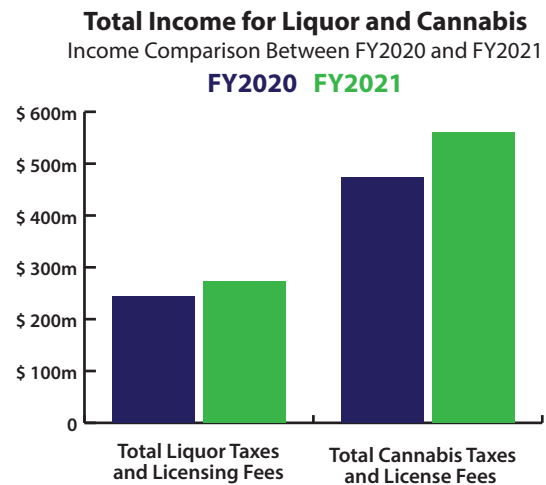
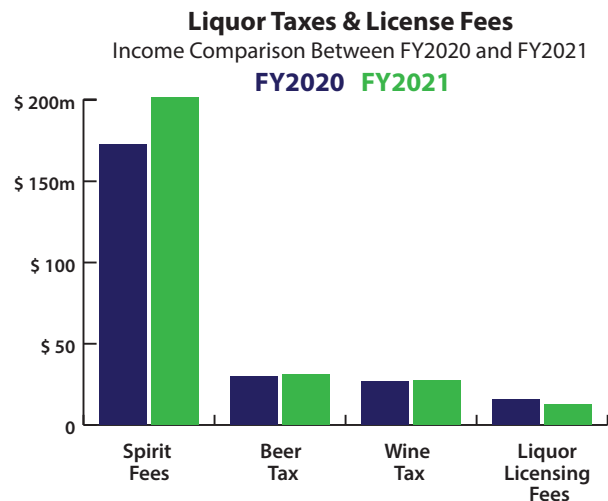
Expenses and Distribution

	FY 2020	FY 2021	Difference
Operating Expenses			
Licensing	\$ 5,363,955	\$ 5,253,939	\$ (110,016)
Enforcement	16,591,711	15,943,037	(648,674)
General	23,682,773	27,489,150	3,806,378
Total Operating Expenses	\$ 45,638,439	\$ 48,686,126	\$ 3,047,687
Distributions/Other Appropriations			
Excess Funds	\$ 99,853,925	\$ 137,943,190	\$ 38,089,265
Beer Tax	24,630,027	25,475,636	845,609
Wine Tax	4,101,737	4,363,552	261,815
Liquor Licenses	10,114,432	8,394,996	(1,719,436)
Tobacco/Vapor	444,731	409,283	(35,448)
Budget Sweeps (Cannabis)	350,000,000	463,295,655	113,295,655
Budget Sweeps (Liquor)	5,568,000	3,109,000	(2,459,000)
Returned to the State (Liq/Can/Tob)	\$ 494,712,852	\$ 642,991,312	\$ 148,278,460
Beer Tax to Borders	47,834	48,261	427
\$ 1.30 Beer Tax	5,546,466	5,457,182	(89,284)
Spirit Fees to Locals	43,891,534	43,980,818	89,284
Returned to Local Gov (Liquor)	49,485,834	49,486,261	427
Returned to Local Gov (Cannabis)	15,000,000	15,000,000	-
Spent by State Agencies (Cannabis)	64,318,900	68,294,129	3,975,229
Spent by MRSC (Liquor)	2,332,157	2,628,899	296,743
Total Distributions / Spent by Other Approp.	625,849,743	778,400,602	152,550,859
Total Expenses and Distributions	671,488,182	827,086,728	155,598,546

Financial Statement

FY2021 Distributions/Spent by Other Appropriations*

Agency	Cannabis	Liquor	Tobacco/Vapor	Total
General Fund-State	\$ 191,295,655	\$ 170,439,719		\$ 361,735,374
Basic Health Account	272,000,000			272,000,000
Local Governments	15,000,000	49,486,261		64,486,261
Wash State Health Care Authority	54,216,935	7,314,997		61,531,932
Department of Health	9,778,229		\$ 409,063	10,187,292
Washington State Patrol	2,313,189	150,000		2,463,189
Municipal Research and Services Center		2,628,899		2,628,899
University of Washington	265,982	467,999		733,981
Washington State University	138,000	627,944		765,944
Department of Agriculture	635,000			635,000
Superintendent of Public Instruction	529,920			529,920
Department of Ecology	416,875			416,875
Washington Wine Commission		285,934		285,934
*See appendix for details. Totals	\$ 546,589,784	\$ 231,401,754	\$ 409,063	\$ 778,400,602



Legislative Session

ESHB 1443

This bill modified several provisions of the original Social Equity in Cannabis framework (E2SHB 2870) in three areas:

Task Force Scope and Membership:

The bill added members to the Task Force to include two processor and two producer licensees. The recommendations the Task Force will provide to the LCB were expanded beyond retailer licenses to include producer and processor licenses.

The Task Force expiration was extended by a year, to June 30, 2023, and the due date of Task Force's final recommendations to the Legislature and the Governor was extended to Dec. 2022.

The topics the Task Force will provide recommendations on were expanded to include:

- The social equity technical assistance grant program
- Whether to create workforce training opportunities for underserved communities to increase employment in the cannabis industry

And the Task Force will consider the social equity impact of:

- Changing regulations to allow for residential cannabis cultivation [Note: growing cannabis is barred for most residents by statute, not by "regulation"]
- Shifting primary regulation of cannabis production to the Department of Agriculture
- Removing nonviolent cannabis-related felonies and misdemeanors from the existing point system used to determine if a person qualifies for a license
- Creating new cannabis license types

Expansion of the Grant Program:

The Department of Commerce is authorized to create a roster of mentors with knowledge and experience navigating the state licensing and

regulatory systems, or in the production, retail, or processing of cannabis. These mentors will support and advise social equity applicants and licensees. Strengthening a social equity applicant's social equity plan is a grant-eligible activity.

Social Equity Eligibility Modifications:

- The Social Equity in Cannabis grant program eligibility was expanded beyond cannabis retail licenses to any cannabis licensee or license applicant who meets the criteria for a social equity applicant; this extends to any cannabis licensee who was issued a license between June 30, 2020 and date the act became active (July 25, 2021) who also meets social equity applicant criteria.
- The previous law established eligibility for individuals with a cannabis offense or who had a family member with a cannabis offense; this eligibility criterion was expanded from cannabis offenses to any type of drug offense, including for applicants with a family member who has had a drug offense.
- Previously, eligibility required living five of the previous 10 years in a disproportionately impacted area (DIA). The bill now calls for the LCB, in consultation with other agencies, including the Washington State Commission on African American Affairs to define in rule the period of residency required in a DIA for eligibility.
- The bill also authorizes the LCB to consult with the state Commission on African American Affairs and community members, and then establish by rule additional unspecified eligibility criteria.

E2SHB 1480

In March 2020, as the COVID-19 pandemic began spreading rapidly, state restrictions impacted many LCB-licensed businesses. Some licensees were required to close and others had significant

limitations on sales and customer service.

The LCB, working with the Governor's Office, developed new activities that specific licensees could use to help maintain sales and service in ways that did not jeopardize employee or customer health and safety.

As the pandemic impacts have continued, the allowances remain important and the LCB developed legislation to provide statutory authorization extending certain temporary activities.

E2SHB 1480 allows specific activities for some types of liquor licenses to continue until June 30, 2023. The allowances include:

- Spirits, beer and wine restaurants can sell "to-go" cocktails for takeout, curbside service, or delivery;
- Restaurants, taverns, domestic breweries and microbreweries, domestic wineries, distilleries, snack bars, non-profit arts licensees and caterers may sell alcohol products for takeout, curbside service, or delivery;
- Licensees previously allowed to sell growlers for on-premise consumption may sell them for off-premise consumption through takeout, curbside, or delivery service;
- Beer and wine specialty shops may sell pre-filled growlers for takeout, curbside, or delivery service if they fill the containers the same day they are sold;
- The LCB must revise rules to allow outdoor service by on-premise licensees including: restaurants, taverns, breweries, wineries, distilleries, snack bars and private clubs; and
- The LCB must consider revising rules to provide flexible and financially feasible food service requirements for licensees that have food service requirements.

Two activities allowed during the pandemic must

expire when the state emergency proclamation ends. They are:

- The LCB suspended requirements for wineries and breweries conducting tastings at farmers' markets to provide food or be located next to a vendor which sells prepared food.
- Licensees who provide deliveries of alcohol were given the option to photograph or scan customer IDs instead of getting the customer's signature to document the customer's age.

The law also requires the LCB to hire an independent entity to do a study in 2022 on the financial and societal impacts of the temporarily authorized activities. The legislature will be given the study to consider extending or ending the privileges scheduled to expire June 30, 2023.

ESSB 5272

This bill temporarily waives license and annual license renewal fees for certain liquor licensees. Due to COVID-19 restrictions, many businesses were required to close temporarily, causing liquor licensees to struggle to continue to operate during the pandemic. The businesses and communities they served sought assistance from state agencies to stay afloat financially.

This bill waives liquor license fees for a 12-month period for specific types of licenses, including distilleries, wineries, breweries, restaurants, hotels/motels, nightclubs and more. Businesses that had their licenses suspended by the LCB for violations of state COVID-19 guidance or business that received an order of immediate restraint or citation from the Department of Labor & Industries for violations of the governor's emergency proclamations were not eligible. The waiver period began on April 1, 2021.

Legislative Session

ESB 5372

This bill creates a voluntary hemp processor registration and hemp extract certification process. In 2018, federal legislation removed hemp from the federal schedule of controlled substances and allowed the cultivation of hemp within certain regulations.

In 2019, the Washington State legislature replaced a previous industrial hemp research program and created a new agricultural commodity program for commercial hemp production. The Washington State Department of Agriculture (WSDA) licenses hemp producers and oversees program components such as testing and enforcement.

While the LCB has previously been prohibited from testing hemp, this bill modifies the prior total ban on testing by the LCB. The LCB is now authorized to test a substance represented as hemp if it is obtained from a location that is also licensed to produce or process cannabis. This new law ensures that cannabis producers or processors comply with cannabis regulations and cannot use a hemp license as a cover for illicit cannabis production or processing.

Disbursements Appendix

Cannabis Revenue | FY 2021 Financial Disbursements

Agency	\$ Disbursement
State General Fund	\$ 191,295,655
Basic Health Account	272,000,000
Local Governments	15,000,000
Wash State Health Care Authority <ul style="list-style-type: none"> Primary health and dental care services provided by community health centers Healthy Youth and Young Adult Surveys Contract with the WA Institute for Public Health Policy for cost-benefit evaluation 	54,216,935
Department of Health <ul style="list-style-type: none"> Cannabis education and public health programs 	9,778,229
Washington State Patrol <ul style="list-style-type: none"> Drug Enforcement Task Force 	2,313,189
Univ. of Washington Alcohol and Drug Abuse Institute <ul style="list-style-type: none"> Research on impacts of cannabis use Web-based public education (www.LearnAboutMarijuanaWA.org) 	265,982
Washington State University <ul style="list-style-type: none"> Research on impacts of cannabis use 	138,000
Department of Agriculture <ul style="list-style-type: none"> Compliance-based lab analysis of pesticides in cannabis 	635,000
Superintendent of Public Instruction <ul style="list-style-type: none"> School drop-out prevention 	529,920
Department of Ecology <ul style="list-style-type: none"> Cannabis testing labs: protocols and accreditation standards 	416,875
WA Liquor and Cannabis Board <ul style="list-style-type: none"> Administration and regulation operations 	10,415,839

Washington State Liquor and Cannabis Board

Mission

Promote public safety and trust through fair administration and enforcement of liquor, cannabis, tobacco, and vapor laws.

lcb.wa.gov