

1st Sub. H.B. 97

ALCOHOL BEVERAGE CONTROL OPERATIONS AMENDMENTS

Representative Steve Eliason proposes the following amendments:

1. Page 1, Lines 15 through 17:

15           ▶       creates and provides funding for the Operations Investigation Program to   {~~covertly~~  
16 ~~observe~~}   engage in undisclosed observation   and evaluate customer contacts with the Department of  
                  Alcoholic Beverage  
17   Control;

2. Page 8, Lines 229 through 239:

229                    {~~(1) "Covert observation" or "covertly observe" means an act taken by the program to~~  
230 ~~directly observe and evaluate the service offered by a subject store without the knowledge of~~  
231 ~~the subject store.~~}

232                    {~~(2)~~}   (1)   "Interaction" means an individual act under the program to   {~~covertly~~  
~~observe~~}   engage in the undisclosed observation of   a  
233 subject store in a manner authorized by this part.

234                    {~~(3)~~}   (2)   "Program" means the Operations Investigation Program created under Section  
235 63J-4-703.

236                    {~~(4)~~}   (3)   "Subject department" means the Department of Alcoholic Beverage Control.

237                    {~~(5)~~}   (4)   "Subject store" means a store created under Title 32B, Chapter 2, Part 5, State  
238 Store, by the Alcoholic Beverage Control Commission.

(5) "Undisclosed observation" means an act taken by the program to directly observe and  
evaluate the service offered by a subject store without the knowledge of the subject store.

239           Section 5. Section **63J-4-703** is enacted to read:

3. Page 9, Line 247:

247           (1) The executive director shall ensure that the program, through   {~~covert~~}   undisclosed  
observation.

4. Page 9, Line 265:

265           {~~covertly observe~~}   engage in undisclosed observation   and evaluate each subject store's  
performance.

5. Page 9, Line 272:

272 (i) shall ensure that the program ~~{covertly}~~ observes by undisclosed observation the  
customer service offered by each

6. Page 10, Line 274:

274 (ii) may also authorize the program to ~~{covertly}~~ observe by undisclosed observation the  
customer service offered by

7. Page 10, Lines 277 through 279:

277 (b) The executive director may authorize the program to ~~{covertly}~~ record an  
interaction without disclosing the recording .

278 (c) The executive director may not authorize the program to purposely ~~{covertly~~  
~~observe}~~ engage in undisclosed observation

279 or record a direct interaction between a subject store and another person unless the person is