

**RCW 66.08.150 Board's action as to permits and licenses—
Administrative procedure act, applicability—Adjudicative proceeding—
Opportunity for hearing—Summary suspension.** The action, order, or
decision of the board as to any denial of an application for the
reissuance of a permit or license or as to any revocation, suspension,
or modification of any permit or license must be an adjudicative
proceeding and subject to the applicable provisions of chapter 34.05
RCW.

(1) An opportunity for a hearing may be provided an applicant for
the reissuance of a permit or license prior to the disposition of the
application, and if no such opportunity for a prior hearing is
provided then an opportunity for a hearing to reconsider the
application must be provided the applicant.

(2) An opportunity for a hearing must be provided a permittee or
licensee prior to a revocation or modification of any permit or
license and, except as provided in subsection (4) of this section,
prior to the suspension of any permit or license.

(3) No hearing may be required until demanded by the applicant,
permittee, or licensee.

(4) The board may summarily suspend a license or permit for a
period of up to one hundred eighty days without a prior hearing if it
finds that public health, safety, or welfare imperatively require
emergency action, and it incorporates a finding to that effect in its
order. Proceedings for revocation or other action must be promptly
instituted and determined. An administrative law judge may extend the
summary suspension period for up to one calendar year in the event the
proceedings for revocation or other action cannot be completed during
the initial one hundred eighty day period due to actions by the
licensee or permittee. The board's enforcement division must complete
a preliminary staff investigation of the violation before requesting
an emergency suspension by the board.

(5) The issues that may be considered at a hearing to contest a
suspension of a license or the denial of an application for a new
license or renewal of an existing license, under RCW 66.24.010(3)(c),
do not include the right to challenge the amount of any spirits taxes
assessed against the licensee or applicant by the department of
revenue. For purposes of this subsection, "spirits taxes" has the same
meaning as in RCW 82.08.155. [2012 c 39 § 5; 2007 c 370 § 3; 2003 c
320 § 1; 1989 c 175 § 122; 1967 c 237 § 23; 1933 ex.s. c 62 § 62; RRS
§ 7306-62.]

Construction—Effective date—2012 c 39: See notes following RCW
82.08.155.

Effective date—1989 c 175: See note following RCW 34.05.010.