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SENATE BILL 5121

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State of Washington                      60th Legislature                      2007 Regular Session

By Senators Kohl-Welles, Parlette and Keiser

Read first time 01/11/2007.                      Referred to Committee on Labor,  
Commerce, Research & Development.

1            AN ACT Relating to the summary suspension of liquor licenses; and  
2 amending RCW 66.08.150.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 66.08.150 and 2003 c 320 s 1 are each amended to read  
5 as follows:

6            The action, order, or decision of the board as to any denial of an  
7 application for the reissuance of a permit or license or as to any  
8 revocation, suspension, or modification of any permit or license shall  
9 be an adjudicative proceeding and subject to the applicable provisions  
10 of chapter 34.05 RCW.

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

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

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

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

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