

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2680

63rd Legislature
2014 Regular Session

Passed by the House February 12, 2014
Yeas 95 Nays 2

Speaker of the House of Representatives

Passed by the Senate March 4, 2014
Yeas 44 Nays 4

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2680** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2680

Passed Legislature - 2014 Regular Session

State of Washington

63rd Legislature

2014 Regular Session

By House Government Accountability & Oversight (originally sponsored by Representatives Springer, Haler, Goodman, and Freeman)

READ FIRST TIME 02/05/14.

1 AN ACT Relating to liquor catering; amending RCW 66.44.350;
2 reenacting and amending RCW 66.20.300 and 66.20.310; and adding a new
3 section to chapter 66.24 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 66.24 RCW
6 to read as follows:

7 (1) There shall be a caterer's license to sell spirits, beer, and
8 wine, by the individual serving, at retail, for consumption on the
9 premises at an event location that is either owned, leased, or operated
10 either by the caterer or the sponsor of the event for which catering
11 services are being provided. If the event is open to the public, it
12 must be sponsored by a society or organization as defined in RCW
13 66.24.375. If attendance at the event is limited to members or invited
14 guests of the sponsoring individual, society, or organization, the
15 requirement that the sponsor must be a society or organization as
16 defined in RCW 66.24.375 is waived. The licensee must serve food as
17 required by rules of the board.

18 (2) The annual fee is two hundred dollars for the beer license, two

1 hundred dollars for the wine license, or four hundred dollars for a
2 combination beer and wine license. The annual fee for a combined beer,
3 wine, and spirits license is one thousand dollars.

4 (3) The holder of this license shall notify the board or its
5 designee of the date, time, place, and location of any catered event at
6 which liquor will be served, sold, or consumed. The board shall create
7 rules detailing notification requirements. Upon request, the licensee
8 shall provide to the board all necessary or requested information
9 concerning the individual, society, or organization that will be
10 holding the catered function at which the caterer's liquor license will
11 be utilized.

12 (4) The holder of this license may, under conditions established by
13 the board, store liquor on other premises operated by the licensee so
14 long as the other premises are owned or controlled by a leasehold
15 interest by that licensee.

16 (5) The holder of this license is prohibited from catering events
17 at locations that are already licensed to sell liquor under this
18 chapter.

19 (6) The holder of this license is responsible for all sales,
20 service, and consumption of alcohol at the location of the catered
21 event.

22 **Sec. 2.** RCW 66.20.300 and 2013 c 237 s 2 and 2013 c 219 s 2 are
23 each reenacted and amended to read as follows:

24 The definitions in this section apply throughout RCW 66.20.310
25 through 66.20.350 unless the context clearly requires otherwise.

26 (1) "Alcohol" has the same meaning as "liquor" in RCW 66.04.010.

27 (2) "Alcohol server" means any person who as part of his or her
28 employment participates in the sale or service of alcoholic beverages
29 for on-premise consumption at a retail licensed premise as a regular
30 requirement of his or her employment, and includes those persons
31 eighteen years of age or older permitted by the liquor laws of this
32 state to serve alcoholic beverages with meals.

33 (3) "Board" means the Washington state liquor control board.

34 (4) "Retail licensed premises" means any:

35 (a) Premises licensed to sell alcohol by the glass or by the drink,
36 or in original containers primarily for consumption on the premises as

1 authorized by this section and RCW 66.20.310, 66.24.320, 66.24.330,
2 66.24.350, 66.24.400, 66.24.425, section 1 of this act, 66.24.450,
3 66.24.570, 66.24.610, 66.24.650, and 66.24.655;

4 (b) Distillery licensed pursuant to RCW 66.24.140 that is
5 authorized to serve samples of its own production;

6 (c) Facility established by a domestic winery for serving and
7 selling wine pursuant to RCW 66.24.170(4); and

8 (d) Grocery store licensed under RCW 66.24.360, but only with
9 respect to employees whose duties include serving during tasting
10 activities under RCW 66.24.363.

11 (5) "Training entity" means any liquor licensee associations,
12 independent contractors, private persons, and private or public
13 schools, that have been certified by the board.

14 **Sec. 3.** RCW 66.20.310 and 2013 c 237 s 3 and 2013 c 219 s 3 are
15 each reenacted and amended to read as follows:

16 (1)(a) There is an alcohol server permit, known as a class 12
17 permit, for a manager or bartender selling or mixing alcohol, spirits,
18 wines, or beer for consumption at an on-premises licensed facility.

19 (b) There is an alcohol server permit, known as a class 13 permit,
20 for a person who only serves alcohol, spirits, wines, or beer for
21 consumption at an on-premises licensed facility.

22 (c) As provided by rule by the board, a class 13 permit holder may
23 be allowed to act as a bartender without holding a class 12 permit.

24 (2)(a) Effective January 1, 1997, except as provided in (d) of this
25 subsection, every alcohol server employed, under contract or otherwise,
26 at a retail licensed premise must be issued a class 12 or class 13
27 permit.

28 (b) Every class 12 and class 13 permit issued must be issued in the
29 name of the applicant and no other person may use the permit of another
30 permit holder. The holder must present the permit upon request to
31 inspection by a representative of the board or a peace officer. The
32 class 12 or class 13 permit is valid for employment at any retail
33 licensed premises described in (a) of this subsection.

34 (c) Except as provided in (d) of this subsection, no licensee
35 holding a license as authorized by this section and RCW 66.20.300,
36 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, section 1 of

1 this act, 66.24.450, 66.24.570, 66.24.600, 66.24.610, 66.24.650, and
2 66.24.655 may employ or accept the services of any person without the
3 person first having a valid class 12 or class 13 permit.

4 (d) Within sixty days of initial employment, every person whose
5 duties include the compounding, sale, service, or handling of liquor
6 must have a class 12 or class 13 permit.

7 (e) No person may perform duties that include the sale or service
8 of alcoholic beverages on a retail licensed premises without possessing
9 a valid alcohol server permit.

10 (3) A permit issued by a training entity under this section is
11 valid for employment at any retail licensed premises described in
12 subsection (2)(a) of this section for a period of five years unless
13 suspended by the board.

14 (4) The board may suspend or revoke an existing permit if any of
15 the following occur:

16 (a) The applicant or permittee has been convicted of violating any
17 of the state or local intoxicating liquor laws of this state or has
18 been convicted at any time of a felony; or

19 (b) The permittee has performed or permitted any act that
20 constitutes a violation of this title or of any rule of the board.

21 (5) The suspension or revocation of a permit under this section
22 does not relieve a licensee from responsibility for any act of the
23 employee or agent while employed upon the retail licensed premises.
24 The board may, as appropriate, revoke or suspend either the permit of
25 the employee who committed the violation or the license of the licensee
26 upon whose premises the violation occurred, or both the permit and the
27 license.

28 (6)(a) After January 1, 1997, it is a violation of this title for
29 any retail licensee or agent of a retail licensee as described in
30 subsection (2)(a) of this section to employ in the sale or service of
31 alcoholic beverages, any person who does not have a valid alcohol
32 server permit or whose permit has been revoked, suspended, or denied.

33 (b) It is a violation of this title for a person whose alcohol
34 server permit has been denied, suspended, or revoked to accept
35 employment in the sale or service of alcoholic beverages.

36 (7) Grocery stores licensed under RCW 66.24.360, the primary
37 commercial activity of which is the sale of grocery products and for
38 which the sale and service of beer and wine for on-premises consumption

1 with food is incidental to the primary business, and employees of such
2 establishments, are exempt from RCW 66.20.300 through 66.20.350, except
3 for employees whose duties include serving during tasting activities
4 under RCW 66.24.363.

5 **Sec. 4.** RCW 66.44.350 and 1999 c 281 s 12 are each amended to read
6 as follows:

7 Notwithstanding provisions of RCW 66.44.310, employees holding beer
8 and/or wine restaurant; beer and/or wine private club; snack bar;
9 spirits, beer, and wine restaurant; spirits, beer, and wine private
10 club; catering; and sports entertainment facility licenses who are
11 licensees eighteen years of age and over may take orders for, serve,
12 and sell liquor in any part of the licensed premises except cocktail
13 lounges, bars, or other areas classified by the Washington state liquor
14 control board as off-limits to persons under twenty-one years of age:
15 PROVIDED, That such employees may enter such restricted areas to
16 perform work assignments including picking up liquor for service in
17 other parts of the licensed premises, performing clean up work, setting
18 up and arranging tables, delivering supplies, delivering messages,
19 serving food, and seating patrons: PROVIDED FURTHER, That such
20 employees shall remain in the areas off-limits to minors no longer than
21 is necessary to carry out their aforementioned duties: PROVIDED
22 FURTHER, That such employees shall not be permitted to perform
23 activities or functions of a bartender.

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