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**HOUSE BILL 2842**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Representatives Steele, Boehnke, and Chambers

AN ACT Relating to nonprofit special occasion liquor licensee compliance with laws administered by the liquor and cannabis board; amending RCW 66.24.380; creating a new section; and prescribing penalties.

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

NEW SECTION. **Sec.**  The legislature recognizes the value of the special occasion liquor license to nonprofit organizations who organize and host community events that include as one component, responsible service and consumption of alcoholic beverages. These community events can be substantial endeavors to plan, finance, and host for a nonprofit organization, and so ensuring the organization stays in compliance with applicable laws and rules is a top priority. Nevertheless, it is understandable that inadvertent regulatory violations may nevertheless occur from time to time despite due diligence. It is the legislature's intent that special occasion licensees, who lack a willful intent to violate laws or rules, be provided when appropriate with warnings, technical assistance, and then reasonable civil penalties, without risk of losing the ability to continue operating under the license.

**Sec.**  RCW 66.24.380 and 2016 c 235 s 2 are each amended to read as follows:

There is a retailer's license to be designated as a special occasion license to be issued to a not-for-profit society or organization to sell spirits, beer, and wine by the individual serving for on-premises consumption at a specified event, such as at picnics or other special occasions, at a specified date and place; fee sixty dollars per day.

(1) The not-for-profit society or organization is limited to sales of no more than twelve calendar days per year. For the purposes of this subsection, special occasion licensees that are "agricultural area fairs" or "agricultural county, district, and area fairs," as defined by RCW 15.76.120, that receive a special occasion license may, once per calendar year, count as one event fairs that last multiple days, so long as alcohol sales are at set dates, times, and locations, and the board receives prior notification of the dates, times, and locations. The special occasion license applicant will pay the sixty dollars per day for this event.

(2) The licensee may sell spirits, beer, and/or wine in original, unopened containers for off-premises consumption if permission is obtained from the board prior to the event.

(3) In addition to offering the sale of wine by the individual serving for on-premises consumption, the licensee may sell wine in original, unopened containers for on-premises consumption if permission is obtained from the board prior to the event.

(4) Sale, service, and consumption of spirits, beer, and wine is to be confined to specified premises or designated areas only.

(5) Liquor sold under this special occasion license must be purchased from a licensee of the board.

(6)(a) Any violation of this section is punishable as provided in this subsection (6):

(i) The board and its enforcement officers shall issue a warning for any violation or violations of this section when it appears the violation was not intentional or reckless and that issuing a warning and, if appropriate, providing any technical assistance, seems reasonably likely to result in future compliance.

(ii) When a violation does not result in a warning as provided in (a)(i) of this subsection, then the violation and subsequent violations for which a warning is not provided are punishable as a class 1 civil infraction having a maximum penalty of two hundred fifty dollars as provided for in chapter 7.80 RCW.

(b) The board may not suspend or revoke a special occasion license unless there is a record of repeated violations justifying, from a public safety perspective based on the specific types of violations, prohibiting the licensee from continuing to operate. In the extreme case of license revocation, the former licensee may reapply for a special occasion license after the expiration of a period of time set by the board not to exceed four years from the date of license revocation.

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