

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6298

Chapter 201, Laws of 1994

53rd Legislature
1994 Regular Session

LIQUOR LICENSES AND VIOLATIONS--UNDERAGE PERSONS--BOWLING
ALLEYS--INTERNATIONAL EXPORT--SPECIAL OCCASION LICENSES--HOME BREW

EFFECTIVE DATE: 6/9/94

Passed by the Senate March 6, 1994
YEAS 44 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House March 3, 1994
YEAS 95 NAYS 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved March 30, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6298** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

March 30, 1994 - 1:51 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6298

AS AMENDED BY THE HOUSE

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Senate Committee on Labor & Commerce (originally sponsored by Senators Moore, Prentice and Newhouse; by request of Liquor Control Board)

Read first time 02/03/94.

1 AN ACT Relating to the improvement of the licensing and enforcement
2 sections of the Washington State Liquor Act; amending RCW 66.20.200,
3 66.24.455, 66.24.490, 66.28.070, 66.28.140, 66.44.300, and 66.44.310;
4 and adding a new section to chapter 66.24 RCW.

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

6 **Sec. 1.** RCW 66.20.200 and 1987 c 101 s 4 are each amended to read
7 as follows:

8 It shall be unlawful for the owner of a card of identification to
9 transfer the card to any other person for the purpose of aiding such
10 person to procure alcoholic beverages from any licensee or store
11 employee. Any person who shall permit his or her card of
12 identification to be used by another or transfer such card to another
13 for the purpose of aiding such transferee to obtain alcoholic beverages
14 from a licensee or store employee or gain admission to a premises or
15 portion of a premises classified by the board as off-limits to persons
16 under twenty-one years of age, shall be guilty of a misdemeanor
17 punishable as provided by RCW 9A.20.021, except that a minimum fine of
18 two hundred fifty dollars shall be imposed and any sentence requiring
19 community service shall require not fewer than twenty-five hours of

1 such service. Any person not entitled thereto who unlawfully procures
2 or has issued or transferred to him or her a card of identification,
3 and any person who possesses a card of identification not issued to him
4 or her, and any person who makes any false statement on any
5 certification card required by RCW 66.20.190, as now or hereafter
6 amended, to be signed by him or her, shall be guilty of a misdemeanor
7 punishable as provided by RCW 9A.20.021, except that a minimum fine of
8 two hundred fifty dollars shall be imposed and any sentence requiring
9 community service shall require not fewer than twenty-five hours of
10 such service.

11 **Sec. 2.** RCW 66.24.455 and 1974 ex.s. c 65 s 1 are each amended to
12 read as follows:

13 Subject to approval by the board, holders of class A, B, C, D, or
14 H licenses may extend their premises for the sale, service and
15 consumption of liquor authorized under their respective licenses to the
16 concourse or lane areas in a bowling establishment where the concourse
17 or lane areas are adjacent to the food preparation service facility.

18 **Sec. 3.** RCW 66.24.490 and 1987 c 386 s 6 are each amended to read
19 as follows:

20 (1) There shall be a retailer's license to be designated as a class
21 I caterer's license; this shall be a special occasion license to be
22 issued to the holder of a class A, C, D, or public H license to extend
23 the privilege of selling and serving (~~((spirituous))~~) liquor (~~((by the~~
24 ~~individual glass, beer, and wine,))~~) as authorized under such a license
25 at retail, for consumption on the premises, to members and guests of a
26 society or organization on special occasions at a specified date and
27 place when such special occasions of such groups are held on premises
28 other than the (~~(class H)~~) licensed premises and for consumption on the
29 premises of such outside location. The holder of such special occasion
30 license shall be allowed to remove from the liquor stocks at the
31 licensed (~~(class H)~~) premises, and allow liquor for sale and service at
32 such special occasion locations. (~~((Such special class I license shall~~
33 ~~be issued for a specified date and place and))~~) Upon payment of a fee of
34 twenty-five dollars per day or, upon proper application to the liquor
35 control board, an annual class I license may be issued to the holder of
36 a class A, C, D, or public H license upon payment of a fee of three
37 hundred fifty dollars.

1 (2) The holder of ~~((an annual))~~ a class I license shall ~~((obtain~~
2 ~~prior board approval for each event at which the class I license will~~
3 ~~be utilized. When applying for such board approval))~~, if requested by
4 the board, notify the board or its designee of the date, time, place,
5 and location of any catered event. Upon request the class I licensee
6 shall provide to the board all necessary or requested information
7 concerning the society or organization which will be holding the
8 function at which the class I license will be utilized.

9 (3) ~~((Upon receipt of a request for utilization of a class I~~
10 ~~license at a particular time and place, the board shall give~~
11 ~~notification of the pending request to the chief executive officer of~~
12 ~~the incorporated city or town, if the function is to be held within an~~
13 ~~incorporated city or town, or to the county legislative authority if~~
14 ~~the function is to be held outside the boundaries of incorporated~~
15 ~~cities or towns.~~

16 (4)) If attendance at the function(~~(, for which class I license~~
17 ~~utilization approval is requested,))~~ will be open to the general
18 public, ~~((board approval may only be given where))~~ the society or
19 organization sponsoring the function ~~((is))~~ shall be within the
20 definition of "society or organization" in RCW 66.24.375. If
21 attendance at the function will be limited to members and invited
22 guests of the sponsoring society or organization, ~~((board approval may~~
23 ~~be given even though the sponsoring society or organization is not~~
24 ~~within the definition of "society or organization" in RCW 66.24.375.~~

25 (5) ~~Where the applicant for either a daily or annual class I~~
26 ~~license is a class H club licensee, the board shall not issue the class~~
27 ~~I license, or approve the use of a previously issued class I license,~~
28 ~~unless the following requirements are met:~~

29 (a) ~~The gross food sales of the class H club exceed its gross~~
30 ~~liquor sales; and~~

31 (b) ~~The event for which the class I license will be used is hosted~~
32 ~~by a member of the class H licensed club))~~ then the requirement that
33 the society or organization be within the definition of RCW 66.24.375
34 is waived.

35 NEW SECTION. Sec. 4. A new section is added to chapter 66.24 RCW
36 to read as follows:

1 There shall be an international export beer and wine license issued
2 by the board to a retailer holding both a class E and class F retail
3 license.

4 (1) Any beer or wine sold by the holder of this license must have
5 been purchased from a licensed beer or wine wholesaler licensed to do
6 business within the state of Washington.

7 (2) Any beer and wine sold under this license shall be intended for
8 consumption outside the state of Washington and the United States and
9 appropriate records shall be maintained by the licensee.

10 (3) A holder of both a retail class E and F retail license and this
11 international export beer and wine license shall be considered not in
12 violation of RCW 66.28.010.

13 (4) Any beer or wine sold under this license shall be sold at a
14 price no less than the acquisition price paid by the holder of the
15 license.

16 (5) The annual cost of this license shall be five hundred dollars
17 and shall be in addition to any other retail liquor license fees paid
18 by the licensee.

19 **Sec. 5.** RCW 66.28.070 and 1987 c 205 s 1 are each amended to read
20 as follows:

21 (1) Except as provided in subsection (2) of this section, it shall
22 be unlawful for any retail beer or wine licensee to purchase beer or
23 wine, except from a duly licensed (~~(beer)~~) wholesaler or the board, and
24 it shall be unlawful for any brewer, winery, or beer or wine wholesaler
25 to purchase beer or wine, except from a duly licensed beer or wine
26 wholesaler or (~~(beer)~~) importer.

27 (2) A beer or wine retailer licensee may purchase beer or wine from
28 a government agency which has lawfully seized beer or wine from a
29 licensed beer or wine retailer, or from a board-authorized retailer, or
30 from a licensed retailer which has discontinued business if the
31 wholesaler has refused to accept beer or wine from that retailer for
32 return and refund. Beer and wine purchased under this subsection shall
33 meet the quality standards set by its manufacturer.

34 (3) Special occasion licensees holding either a class G or J
35 license may only purchase beer or wine from a beer or wine retailer
36 duly licensed to sell beer or wine for off-premises consumption, the
37 board, or from a duly licensed beer or wine wholesaler.

1 **Sec. 6.** RCW 66.28.140 and 1981 c 255 s 2 are each amended to read
2 as follows:

3 (1) An adult member of a household may remove family beer or wine
4 from the home for exhibition or use at organized beer or wine tastings
5 or competitions, subject to the following conditions:

6 (a) The quantity removed by a producer for these purposes is
7 limited to a quantity not exceeding one gallon;

8 (b) Family beer or wine is not removed for sale or for the use of
9 any person other than the producer. This subparagraph does not
10 preclude any necessary tasting of the beer or wine when the exhibition
11 or beer or wine tasting includes judging the merits of the wine by
12 judges who have been selected by the organization sponsoring the
13 affair; and

14 (c) When the display contest or judging purpose has been served,
15 any remaining portion of the sample is returned to the family premises
16 from which removed.

17 (2) As used in this section, "family beer or wine" means beer or
18 wine manufactured in the home for consumption therein, and not for
19 sale.

20 **Sec. 7.** RCW 66.44.300 and 1941 c 78 s 1 are each amended to read
21 as follows:

22 Any person who invites a minor into a public place where liquor is
23 sold and treats, gives or purchases liquor for such minor, or permits
24 a minor to treat, give or purchase liquor for ~~((him))~~ the adult; or
25 holds out such minor to be ~~((over the age of))~~ twenty-one years of age
26 or older to the owner or employee of the liquor establishment, a law
27 enforcement officer, or a liquor enforcement officer shall be guilty of
28 a misdemeanor.

29 **Sec. 8.** RCW 66.44.310 and 1981 1st ex.s. c 5 s 24 are each amended
30 to read as follows:

31 (1) Except as otherwise provided by RCW 66.44.316 and 66.44.350, it
32 shall be a misdemeanor~~((τ))~~:

33 (a) To serve or allow to remain ~~((on the premises of any tavern, or~~
34 ~~cocktail lounge portion of any class H licensed premises,))~~ in any area
35 classified by the board as off-limits to any person under the age of
36 twenty-one years;

1 (b) For any person under the age of twenty-one years to enter or
2 remain (~~((on the premises of any tavern, or cocktail lounge portion of~~
3 ~~any public class H licensed premises))~~ in any area classified as off-
4 limits to such a person, but persons under twenty-one years of age may
5 pass through a restricted area in a facility holding a class H club
6 license;

7 (c) For any person under the age of twenty-one years to represent
8 his or her age as being twenty-one or more years for the purpose of
9 purchasing liquor or securing admission to, or remaining (~~((on the~~
10 ~~premises of, any tavern or cocktail lounge portion of any class H~~
11 ~~licensed premises))~~ in any area classified by the board as off-limits
12 to such a person.

13 (2) The Washington state liquor control board shall have the power
14 and it shall be its duty to classify (~~(the various licensees, as~~
15 ~~taverns or otherwise, within the meaning of this title, except bona~~
16 ~~fide restaurants, dining rooms and cafes serving commercial food to the~~
17 ~~public shall not be classified as taverns during the hours such food~~
18 ~~service is made available to the public))~~ licensed premises or portions
19 of licensed premises as off-limits to persons under the age of twenty-
20 one years of age.

Passed the Senate March 6, 1994.

Passed the House March 3, 1994.

Approved by the Governor March 30, 1994.

Filed in Office of Secretary of State March 30, 1994.