

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2656

54th Legislature
1996 Regular Session

Passed by the House March 4, 1996
Yeas 89 Nays 5

**Speaker of the
House of Representatives**

Passed by the Senate March 1, 1996
Yeas 45 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2656** 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**

SUBSTITUTE HOUSE BILL 2656

AS AMENDED BY THE SENATE

Passed Legislature - 1996 Regular Session

State of Washington

54th Legislature

1996 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Cairnes, Romero and Thompson)

Read first time 01/26/96.

1 AN ACT Relating to liquor licenses for sports entertainment
2 facilities; amending RCW 66.20.300, 66.20.310, and 66.24.420; and
3 adding a new 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 is a license for sports entertainment facilities to be
8 designated as a class R license to sell beer, wine, and spirits at
9 retail, for consumption upon the premises only, the license to be
10 issued to the entity providing food and beverage service at a sports
11 entertainment facility as defined in this section. The cost of the
12 license is two thousand five hundred dollars per annum.

13 (2) For purposes of this section, a sports entertainment facility
14 includes a publicly or privately owned arena, coliseum, stadium, or
15 facility where sporting events are presented for a price of admission.
16 The facility does not have to be exclusively used for sporting events.

17 (3) The board may impose reasonable requirements upon a licensee
18 under this section, such as requirements for the availability of food
19 and victuals including but not limited to hamburgers, sandwiches,

1 salads, or other snack food. The board may also restrict the type of
2 events at a sports entertainment facility at which beer, wine, and
3 spirits may be served. When imposing conditions for a licensee, the
4 board must consider the seating accommodations, eating facilities, and
5 circulation patterns in such a facility, and other amenities available
6 at a sports entertainment facility.

7 **Sec. 2.** RCW 66.20.300 and 1995 c 51 s 2 are each amended to read
8 as follows:

9 Unless the context clearly requires otherwise, the definitions in
10 this section apply throughout RCW 66.20.310 through 66.20.350.

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

12 (2) "Alcohol server" means any person serving or selling alcohol,
13 spirits, wines, or beer for consumption at an on-premises retail
14 licensed facility as a regular requirement of his or her employment,
15 and includes those persons eighteen years of age or older permitted by
16 the liquor laws of this state to serve alcoholic beverages with meals.

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

18 (4) "Training entity" means any liquor licensee associations,
19 independent contractors, private persons, and private or public
20 schools, that have been certified by the board.

21 (5) "Retail licensed premises" means any premises licensed to sell
22 alcohol by the glass or by the drink, or in original containers
23 primarily for consumption on the premises as authorized by RCW
24 66.24.320, 66.24.330, 66.24.340, 66.24.350, 66.24.400, 66.24.425,
25 (~~and~~) 66.24.450, and section 1 of this act.

26 **Sec. 3.** RCW 66.20.310 and 1995 c 51 s 3 are each amended to read
27 as follows:

28 (1)(a) There shall be an alcohol server permit, known as a class 12
29 permit, for a manager or bartender selling or mixing alcohol, spirits,
30 wines, or beer for consumption at an on-premises licensed facility.

31 (b) There shall be an alcohol server permit, known as a class 13
32 permit, for a person who only serves alcohol, spirits, wines, or beer
33 for consumption at an on-premises licensed facility.

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

36 (2)(a) Effective July 1, 1996, except as provided in (d) of this
37 subsection, every person employed, under contract or otherwise, by an

1 annual retail liquor licensee holding a license as authorized by RCW
2 66.24.320, 66.24.330, 66.24.340, 66.24.350, 66.24.400, 66.24.425,
3 ((or)) 66.24.450, or section 1 of this act, who as part of his or her
4 employment participates in any manner in the sale or service of
5 alcoholic beverages shall have issued to them a class 12 or class 13
6 permit.

7 (b) Every class 12 and class 13 permit issued shall be issued in
8 the name of the applicant and no other person may use the permit of
9 another permit holder. The holder shall present the permit upon
10 request to inspection by a representative of the board or a peace
11 officer. The class 12 or class 13 permit shall be valid for employment
12 at any retail licensed premises described in (a) of this subsection.

13 (c) No licensee described in (a) of this subsection, except as
14 provided in (d) of this subsection, may employ or accept the services
15 of any person without the person first having a valid class 12 or class
16 13 permit.

17 (d) Within sixty days of initial employment, every person whose
18 duties include the compounding, sale, service, or handling of liquor
19 shall have a class 12 or class 13 permit.

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

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

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

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

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

34 (5) The suspension or revocation of a permit under this section
35 does not relieve a licensee from responsibility for any act of the
36 employee or agent while employed upon the retail licensed premises.
37 The board may, as appropriate, revoke or suspend either the permit of
38 the employee who committed the violation or the license of the licensee

1 upon whose premises the violation occurred, or both the permit and the
2 license.

3 (6)(a) After July 1, 1996, it is a violation of this title for any
4 retail licensee or agent of a retail licensee as described in
5 subsection (2)(a) of this section to employ in the sale or service of
6 alcoholic beverages, any person who does not have a valid alcohol
7 server permit or whose permit has been revoked, suspended, or denied.

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

11 (7) Establishments licensed under RCW 66.24.320 and 66.24.340, the
12 primary commercial activity of which is the sale of grocery products
13 and for which the sale and service of beer and wine is incidental to
14 the primary business, and employees of such establishments, are exempt
15 from RCW 66.20.300 through 66.20.350.

16 **Sec. 4.** RCW 66.24.420 and 1995 c 55 s 1 are each amended to read
17 as follows:

18 (1) The class H license shall be issued in accordance with the
19 following schedule of annual fees:

20 (a) The annual fee for said license, if issued to a club, whether
21 inside or outside of incorporated cities and towns, shall be seven
22 hundred dollars.

23 (b) The annual fee for said license, if issued to any other class
24 H licensee in incorporated cities and towns, shall be graduated
25 according to the population thereof as follows:

Incorporated	
Cities and towns	Fees
Less than 20,000	\$1,200
20,000 or over	\$2,000

30 (c) The annual fee for said license when issued to any other class
31 H licensee outside of incorporated cities and towns shall be: Two
32 thousand dollars; this fee shall be prorated according to the calendar
33 quarters, or portion thereof, during which the licensee is open for
34 business, except in case of suspension or revocation of the license.

35 (d) Where the license shall be issued to any corporation,
36 association or person operating a bona fide restaurant in an airport
37 terminal facility providing service to transient passengers with more

1 than one place where liquor is to be dispensed and sold, such license
2 shall be issued upon the payment of the annual fee, which shall be a
3 master license and shall permit such sale within and from one such
4 place. Such license may be extended to additional places on the
5 premises at the discretion of the board and a duplicate license may be
6 issued for each such additional place: PROVIDED, That the holder of a
7 master license for a restaurant in an airport terminal facility shall
8 be required to maintain in a substantial manner at least one place on
9 the premises for preparing, cooking, and serving of complete meals, and
10 such food service shall be available on request in other licensed
11 places on the premises: PROVIDED, FURTHER, That an additional license
12 fee of twenty-five percent of the annual master license fee shall be
13 required for such duplicate licenses.

14 (e) Where the license shall be issued to any corporation,
15 association, or person operating dining places at a publicly or
16 privately owned civic or convention center((s)) with facilities for
17 sports, entertainment, ((and)) or conventions, or a combination
18 thereof, with more than one place where liquor is to be dispensed and
19 sold, such license shall be issued upon the payment of the annual fee,
20 which shall be a master license and shall permit such sale within and
21 from one such place. Such license may be extended to additional places
22 on the premises at the discretion of the board and a duplicate license
23 may be issued for each such additional place: PROVIDED, That the
24 holder of a master license for a dining place at such a publicly or
25 privately owned civic or convention center shall be required to
26 maintain in a substantial manner at least one place on the premises for
27 preparing, cooking, and serving of complete meals, and food service
28 shall be available on request in other licensed places on the premises:
29 PROVIDED FURTHER, That an additional license fee of ten dollars shall
30 be required for such duplicate licenses.

31 (f) Where the license shall be issued to any corporation,
32 association or person operating more than one building containing
33 dining places at privately owned facilities which are open to the
34 public and where there is a continuity of ownership of all adjacent
35 property, such license shall be issued upon the payment of an annual
36 fee which shall be a master license and shall permit such sale within
37 and from one such place. Such license may be extended to the
38 additional dining places on the property or, in the case of a class H
39 licensed hotel, property owned or controlled by leasehold interest by

1 that hotel for use as a conference or convention center or banquet
2 facility open to the general public for special events in the same
3 metropolitan area, at the discretion of the board and a duplicate
4 license may be issued for each additional place: PROVIDED, That the
5 holder of the master license for the dining place shall not offer
6 alcoholic beverages for sale, service, and consumption at the
7 additional place unless food service is available at both the location
8 of the master license and the duplicate license: PROVIDED FURTHER,
9 That an additional license fee of twenty dollars shall be required for
10 such duplicate licenses.

11 (2) The board, so far as in its judgment is reasonably possible,
12 shall confine class H licenses to the business districts of cities and
13 towns and other communities, and not grant such licenses in residential
14 districts, nor within the immediate vicinity of schools, without being
15 limited in the administration of this subsection to any specific
16 distance requirements.

17 (3) The board shall have discretion to issue class H licenses
18 outside of cities and towns in the state of Washington. The purpose of
19 this subsection is to enable the board, in its discretion, to license
20 in areas outside of cities and towns and other communities,
21 establishments which are operated and maintained primarily for the
22 benefit of tourists, vacationers and travelers, and also golf and
23 country clubs, and common carriers operating dining, club and buffet
24 cars, or boats.

25 (4) The total number of class H licenses issued in the state of
26 Washington by the board, not including those class H licenses issued to
27 clubs, shall not in the aggregate at any time exceed one license for
28 each fifteen hundred of population in the state, determined according
29 to the yearly population determination developed by the office of
30 financial management pursuant to RCW 43.62.030.

31 (5) Notwithstanding the provisions of subsection (4) of this
32 section, the board shall refuse a class H license to any applicant if
33 in the opinion of the board the class H licenses already granted for
34 the particular locality are adequate for the reasonable needs of the
35 community.

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