

FINAL BILL REPORT

SSB 5582

C 259 L 98

Synopsis as Enacted

Brief Description: Prohibiting the purchase of liquor by intoxicated persons.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Roach, Goings, Schow, Stevens, Oke and Kline).

Senate Committee on Law & Justice

House Committee on Law & Justice

Background: State law places numerous restrictions on the sale, purchase, and consumption of liquor. One statute, which has been in effect since 1933, prohibits the sale of liquor to any person apparently under the influence of liquor. Liquor Control Board enforcement officers find that this is one of the most frequently violated statutes in the Alcohol Beverage Control Act.

It is a misdemeanor to sell alcohol to an apparently intoxicated person. However, it is not a crime for the intoxicated person to purchase or consume liquor on any premises licensed by the Liquor Control Board.

Summary: No person who is apparently under the influence of liquor may purchase or consume liquor on any premises licensed by the board. Violation of this prohibition is an infraction punishable by a fine of not more than \$500. A defendant's intoxication may not be used as a defense in an action under this law.

Until July 1, 2000, notice of the prohibition against the purchase or consumption of liquor by an intoxicated person must be posted conspicuously in every establishment that sells liquor.

An administrative action for a violation of subsection (1) of this act which prohibits the selling of liquor to a person apparently under the influence of liquor is a separate action from a violation of subsection (2) of this act, even though they may arise from the same incident. Subsection (2) prohibits a person who is apparently under the influence of liquor from purchasing or consuming liquor on any premises licensed by the board.

Votes on Final Passage:

Senate	36	13	
House	94	4	(House amended)
Senate			(Senate refused to concur)

Conference Committee

House	84	14
Senate	38	10

Effective: June 11, 1998