
HOUSE BILL 1740

State of Washington 55th Legislature 1997 Regular Session

By Representatives Sheahan, Boldt, Thompson and Clements

Read first time 02/06/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to liquor sales to persons apparently under the
2 influence of liquor; amending RCW 66.44.200; and prescribing penalties.

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

4 **Sec. 1.** RCW 66.44.200 and 1933 ex.s. c 62 s 36 are each amended to
5 read as follows:

6 (1) No person shall sell any liquor to any person apparently under
7 the influence of liquor.

8 (2)(a) No person who is under the influence of liquor to the extent
9 that he or she is intoxicated may purchase or consume liquor on any
10 premises licensed by the board.

11 (b) As used in this section, "intoxicated" means:

12 (i) An impairment of a person's mental or physical faculties as a
13 result of alcoholic beverage use so as to diminish the person's ability
14 to think and act in a manner in which an ordinarily prudent and
15 cautious person, in full possession of his or her faculties and using
16 reasonable care, would act under like circumstances;

17 (ii) The condition of a person if the person has within the
18 previous twelve hours been denied the purchase of liquor on the grounds
19 the sale would violate this section;

1 (iii) The condition of a person who is sufficiently intoxicated to
2 present a danger to himself or herself or others; or
3 (iv) The condition of a person who is in danger of losing
4 consciousness from further ingestion of liquor.
5 (c) A violation of this subsection is a misdemeanor punishable by
6 a fine of not more than five hundred dollars.
7 (d) A defendant's intoxication may not be used as a defense in a
8 prosecution under this subsection.
9 (e) Notice of the prohibition against the purchase of liquor in
10 this subsection shall be posted conspicuously in every establishment
11 that sells liquor.

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