

HOUSE BILL ANALYSIS

HB 2352

Brief Description: Requiring financial responsibility of certain persons who serve liquor.

Sponsors: Representatives Sullivan and Conway

Hearing: January 19, 2000

Brief Summary of Bill

· Requiring certain establishments that serve liquor to have liability insurance or a bond.

BACKGROUND:

Various servers and manufacturers of liquor are required by law to obtain a license before they may serve or sell liquor. Some of these businesses are summarized below.

Beer and/or wine restaurants: Retail sale of beer or wine for consumption on the premises;

Beer and/or wine specialty shops: Sale of beer and wine at retail in bottles, cans, or original containers;

Liquor by the drink, spirits, beer and wine restaurants: Sale at retail of individuals glasses for on-premises consumption;

Private clubs: On-premises consumption of beer and wine at a private club;

Public houses: On-site manufacturer of beer and selling of beer and wine for consumption on the premises;

Snack bars: Retail sale of beer for on site consumption where the sale of beer is not the principal business;

Taverns: Retail sale of beer and wine for consumption on the premises;

Sports/entertainment facilities: Retail sale of beer, wine, and spirits at arenas, coliseums, stadiums, etc.;

Micro breweries: Micro breweries distributing or retailing beer of their own production for on-site consumption;

Domestic Breweries: Domestic manufacturers who may distribute and retail beer of their own production;

Domestic wineries: Domestic wineries who may distribute and retail wine of their own production.

As with other businesses that interact with the public, these establishments are exposed to legal liability for acts that happen on their premises. Establishments may be liable for assaults and accidents occurring at their business, as well as, nuisances created by their patrons. In addition, establishments serving alcohol may be liable for furnishing liquor to obviously intoxicated individuals and minors.

SUMMARY OF BILL:

Holders of the following liquor licenses must have at least \$300,000 in liability insurance coverage or a bond of at least \$300,000;

- beer and/or wine license,
- private club beer and wine license,
- public house license,
- snack bar license,
- spirits, beer and wine license,
- spirits, beer and wine private club license,
- tavern license,
- sports/entertainment facility license, and
- micro brewery, domestic winery, and domestic brewery licenses if consumption is allowed on the premises.

RULES AUTHORITY: The bill does not contain provisions addressing the rule making powers of an agency.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.