

# SENATE BILL REPORT

## SB 5120

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As Reported By Senate Committee On:  
Judiciary, January 29, 2001

**Title:** An act relating to opening or consuming liquor in a public place.

**Brief Description:** Authorizing local governments to increase the penalties for opening or consuming liquor in a public place.

**Sponsors:** Senators Costa, Long, Kastama, Hargrove, Gardner and McCaslin.

**Brief History:**

**Committee Activity:** Judiciary: 1/23/01, 1/29/01 [DP].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass.

Signed by Senators Kline, Chair; Costa, Johnson, Kastama, Long, McCaslin and Zarelli.

**Staff:** Lidia Mori (786-7755)

**Background:** It is currently a class 3 civil infraction to open a package of liquor or consume liquor in a public place. Proponents of this bill believe it is necessary to have the ability to arrest people who are consuming liquor in order to remove them from the streets when they choose to ignore a citation.

The Washington State Constitution prohibits cities and counties from making or enforcing local police, sanitary and other regulations that conflict with general laws.

**Summary of Bill:** The legislative body of a county or city may enact an ordinance which would make opening a package of liquor or consuming liquor in a public place a misdemeanor.

**Appropriation:** None.

**Fiscal Note:** Requested on January 22, 2001.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Alcohol consumption causes a number of incidences and if we can intervene early, things like aggressive panhandling, disorderly conduct, assaults, etc, will diminish too. This legislation is necessary for dealing with people who don't care if a cop writes him or her a ticket. Taking a transient to jail for 24 hours sometimes means that person will get needed help, for example, from the jail nurse or counseling from social services.

**Testimony Against:** None.

**Testified:** Terry Miller, Everett Deputy Police Chief; Steven Tomson, Whitman County Sheriff.