

SENATE BILL REPORT

SB 5604

As Passed Senate, March 12, 2001

Title: An act relating to allowing the liquor control board to authorize controlled purchase programs.

Brief Description: Allowing the liquor control board to authorize controlled purchase programs.

Sponsors: Senators Spanel and Gardner.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 2/26/01, 2/27/01 [DP].
Passed Senate: 3/12/01, 49-0.

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: Do pass.

Signed by Senators Prentice, Chair; Gardner, Vice Chair; Benton, Fairley, Franklin, Hochstatter, Honeyford, Patterson, Rasmussen, Regala and Winsley.

Staff: Catherine Mele (786-7470)

Background: Some private stores that sell alcohol want to be able to conduct private controlled purchase programs. A private controlled purchase program occurs when a private store has someone underage purchase liquor at the store. In this manner, the store has the ability to see if clerks check for identification. There are concerns that these programs cannot be legally pursued because minors are not permitted to purchase liquor in this state.

Summary of Bill: Minors are not in violation of liquor laws if the minor is between 18 and 21 years and participates in a controlled purchase program. Controlled purchase programs must be authorized by the Liquor Control Board. Violations found during a private controlled purchase program may not be used for criminal or administrative proceedings.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: We are not trying to replace Liquor Control Board enforcement. We want to be able to do our own internal stings to make sure our internal training programs are effective. Our problem has been asking people to do the math once they look at an identification card. The Liquor Control Board has also found this problem. We want further training by doing this ourselves. This promotes self regulation and the Liquor Control Board supports self regulation and voluntary compliance.

Testimony Against: None.

Testified: Larry Mount, Brown & Cole (pro); Jan Gee, WA Food Industry (pro).

House Amendment(s): An employer must provide employees written notice describing an in-house controlled purchase program using persons between the ages of 18 and 21 years. Notice must include the consequences of an employee's failure to comply with the company policy on the sale of alcohol during an in-house controlled purchase program. An employer may not terminate an employee solely for a first-time failure to comply with company policy during an in-house controlled purchase.