

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1379

Chapter 231, Laws of 2005

59th Legislature
2005 Regular Session

LIQUOR CONTROL BOARD--SUNDAY SALES

EFFECTIVE DATE: 7/24/05

Passed by the House April 19, 2005
Yeas 66 Nays 32

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 6, 2005
Yeas 31 Nays 17

BRAD OWEN

President of the Senate

Approved April 28, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1379** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 28, 2005 - 4:03 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1379

AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Grant, Armstrong, Springer, Hinkle, Fromhold, Walsh, Upthegrove, Bailey, Clibborn, Chase and Simpson)

READ FIRST TIME 03/05/05.

1 AN ACT Relating to the liquor control board fully implementing a
2 retail business plan; amending RCW 66.08.060; adding new sections to
3 chapter 66.08 RCW; adding a new section to chapter 66.16 RCW; and
4 repealing RCW 66.16.080.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 66.08 RCW
7 to read as follows:

8 The board shall, consistent with, and in addition to, the existing
9 retail business plan, implement strategies to improve the efficiency of
10 retail sales operations and maximize revenue-generating opportunities.
11 Strategies to be implemented shall include, but are not limited to:

12 (1) Expanding store operations to include Sunday sales in selected
13 liquor stores. Sunday sales are optional for liquor vendors operating
14 agency stores;

15 (2) Implementing a plan of in-store liquor merchandising, including
16 point-of-sale advertising, and product specific point-of-sale
17 promotional displays and carousels, including displays designed and
18 provided by vendors; and

1 (3) Implementing a plan for in-store liquor merchandising of
2 brands. The plan may not include provisions for selling liquor-related
3 items other than those items previously authorized.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 66.08 RCW
5 to read as follows:

6 By September 1, 2005, the board shall expand operations in at least
7 twenty state-operated retail stores to include Sundays. The board
8 shall select the stores that are expected to gross the most revenues on
9 Sunday by considering factors including, but not limited to, population
10 density, proximity to shopping centers, and proximity to other
11 businesses that are open on Sunday. The selected stores shall be open
12 for retail business a minimum of five hours on Sunday. In implementing
13 this program, if the board determines it would be beneficial to retain
14 a consultant to assist the board in determining appropriate stores for
15 the program and monitoring the results of the program, the agency is
16 authorized to do so. The board shall track gross sales and expenses of
17 the selected stores and compare them to previous years' sales and
18 projected sales and expenses before opening on Sunday. The board shall
19 also examine the sales of state and contract liquor stores in proximity
20 to those stores opened on Sundays to determine whether Sunday openings
21 has reduced the sales of other state and contract liquor stores that
22 are not open on Sundays. The board shall present this information to
23 the appropriate policy and fiscal committees of the legislature by
24 January 31, 2007.

25 **Sec. 3.** RCW 66.08.060 and 1933 ex.s. c 62 s 43 are each amended to
26 read as follows:

27 (1) The board shall not advertise liquor in any form or through any
28 medium whatsoever.

29 (2) In-store liquor merchandising is not advertising for the
30 purposes of this section.

31 (3) The board shall have power to adopt any and all reasonable
32 (~~regulations~~) rules as to the kind, character, and location of
33 advertising of liquor.

34 NEW SECTION. **Sec. 4.** A new section is added to chapter 66.08 RCW
35 to read as follows:

1 (1) Before the board determines which state liquor stores will be
2 open on Sundays, it shall give: (a) Due consideration to the location
3 of the liquor store with respect to the proximity of places of worship,
4 schools, and public institutions; (b) due consideration to motor
5 vehicle accident data in the proximity of the liquor store; and (c)
6 written notice by certified mail of the proposed Sunday opening,
7 including proposed Sunday opening hours, to places of worship, schools,
8 and public institutions within five hundred feet of the liquor store
9 proposed to be open on Sunday.

10 (2) Before permitting an agency vendor liquor store to open for
11 business on Sunday, the board must meet the due consideration and
12 written notice requirements established in subsection (1) of this
13 section.

14 (3) For the purpose of this section, "place of worship" means a
15 building erected for and used exclusively for religious worship and
16 schooling or other related religious activity.

17 NEW SECTION. **Sec. 5.** A new section is added to chapter 66.16 RCW
18 to read as follows:

19 Employees in state liquor stores, including agency vendor liquor
20 stores, may not be required to work on their Sabbath for the purpose of
21 selling liquor if doing so would violate their religious beliefs.

22 NEW SECTION. **Sec. 6.** RCW 66.16.080 (Sunday closing) and 1988 c
23 101 s 1 & 1933 ex.s. c 62 s 11 are each repealed.

24 NEW SECTION. **Sec. 7.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons or circumstances is not affected.

Passed by the House April 19, 2005.

Passed by the Senate April 6, 2005.

Approved by the Governor April 28, 2005.

Filed in Office of Secretary of State April 28, 2005.