

CERTIFICATION OF ENROLLMENT

SENATE BILL 6539

Chapter 85, Laws of 2006

59th Legislature
2006 Regular Session

SPIRITS, BEER, AND WINE RESTAURANT LICENSES--LIMITS

EFFECTIVE DATE: 6/7/06

Passed by the Senate February 13, 2006
YEAS 45 NAYS 2

BRAD OWEN

President of the Senate

Passed by the House February 28, 2006
YEAS 97 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6539** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

Approved March 17, 2006.

FILED

March 17, 2006 - 10:39 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6539

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Senators Kohl-Welles, Parlette and Keiser; by request of Liquor Control Board

Read first time 01/13/2006. Referred to Committee on Labor, Commerce, Research & Development.

1 AN ACT Relating to the limit on spirits, beer, and wine restaurant
2 licenses; and amending RCW 66.24.420.

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

4 **Sec. 1.** RCW 66.24.420 and 2004 c 62 s 3 are each amended to read
5 as follows:

6 (1) The spirits, beer, and wine restaurant license shall be issued
7 in accordance with the following schedule of annual fees:

8 (a) The annual fee for a spirits, beer, and wine restaurant license
9 shall be graduated according to the dedicated dining area and type of
10 service provided as follows:

| | | |
|----|-------------------------------------|---------|
| 11 | Less than 50% dedicated dining area | \$2,000 |
| 12 | 50% or more dedicated dining area | \$1,600 |
| 13 | Service bar only | \$1,000 |

14 (b) The annual fee for the license when issued to any other
15 spirits, beer, and wine restaurant licensee outside of incorporated
16 cities and towns shall be prorated according to the calendar quarters,
17 or portion thereof, during which the licensee is open for business,
18 except in case of suspension or revocation of the license.

1 (c) Where the license shall be issued to any corporation,
2 association or person operating a bona fide restaurant in an airport
3 terminal facility providing service to transient passengers with more
4 than one place where liquor is to be dispensed and sold, such license
5 shall be issued upon the payment of the annual fee, which shall be a
6 master license and shall permit such sale within and from one such
7 place. Such license may be extended to additional places on the
8 premises at the discretion of the board and a duplicate license may be
9 issued for each such additional place: PROVIDED, That the holder of a
10 master license for a restaurant in an airport terminal facility shall
11 be required to maintain in a substantial manner at least one place on
12 the premises for preparing, cooking, and serving of complete meals, and
13 such food service shall be available on request in other licensed
14 places on the premises: PROVIDED, FURTHER, That an additional license
15 fee of twenty-five percent of the annual master license fee shall be
16 required for such duplicate licenses.

17 (d) Where the license shall be issued to any corporation,
18 association, or person operating dining places at a publicly or
19 privately owned civic or convention center with facilities for sports,
20 entertainment, or conventions, or a combination thereof, with more than
21 one place where liquor is to be dispensed and sold, such license shall
22 be issued upon the payment of the annual fee, which shall be a master
23 license and shall permit such sale within and from one such place.
24 Such license may be extended to additional places on the premises at
25 the discretion of the board and a duplicate license may be issued for
26 each such additional place: PROVIDED, That the holder of a master
27 license for a dining place at such a publicly or privately owned civic
28 or convention center shall be required to maintain in a substantial
29 manner at least one place on the premises for preparing, cooking, and
30 serving of complete meals, and food service shall be available on
31 request in other licensed places on the premises: PROVIDED FURTHER,
32 That an additional license fee of ten dollars shall be required for
33 such duplicate licenses.

34 (e) Where the license shall be issued to any corporation,
35 association or person operating more than one building containing
36 dining places at privately owned facilities which are open to the
37 public and where there is a continuity of ownership of all adjacent
38 property, such license shall be issued upon the payment of an annual

1 fee which shall be a master license and shall permit such sale within
2 and from one such place. Such license may be extended to the
3 additional dining places on the property or, in the case of a spirits,
4 beer, and wine restaurant licensed hotel, property owned or controlled
5 by leasehold interest by that hotel for use as a conference or
6 convention center or banquet facility open to the general public for
7 special events in the same metropolitan area, at the discretion of the
8 board and a duplicate license may be issued for each additional place:
9 PROVIDED, That the holder of the master license for the dining place
10 shall not offer alcoholic beverages for sale, service, and consumption
11 at the additional place unless food service is available at both the
12 location of the master license and the duplicate license: PROVIDED
13 FURTHER, That an additional license fee of twenty dollars shall be
14 required for such duplicate licenses.

15 (2) The board, so far as in its judgment is reasonably possible,
16 shall confine spirits, beer, and wine restaurant licenses to the
17 business districts of cities and towns and other communities, and not
18 grant such licenses in residential districts, nor within the immediate
19 vicinity of schools, without being limited in the administration of
20 this subsection to any specific distance requirements.

21 (3) The board shall have discretion to issue spirits, beer, and
22 wine restaurant licenses outside of cities and towns in the state of
23 Washington. The purpose of this subsection is to enable the board, in
24 its discretion, to license in areas outside of cities and towns and
25 other communities, establishments which are operated and maintained
26 primarily for the benefit of tourists, vacationers and travelers, and
27 also golf and country clubs, and common carriers operating dining, club
28 and buffet cars, or boats.

29 (4) The total number of spirits, beer, and wine restaurant licenses
30 issued in the state of Washington by the board, not including spirits,
31 beer, and wine private club licenses, shall not in the aggregate at any
32 time exceed one license for each (~~fifteen~~) one thousand four hundred
33 fifty of population in the state, determined according to the yearly
34 population determination developed by the office of financial
35 management pursuant to RCW 43.62.030.

36 (5) Notwithstanding the provisions of subsection (4) of this
37 section, the board shall refuse a spirits, beer, and wine restaurant

1 license to any applicant if in the opinion of the board the spirits,
2 beer, and wine restaurant licenses already granted for the particular
3 locality are adequate for the reasonable needs of the community.

4 (6)(a) The board may issue a caterer's endorsement to this license
5 to allow the licensee to remove the liquor stocks at the licensed
6 premises, for use as liquor for sale and service at event locations at
7 a specified date and, except as provided in subsection (7) of this
8 section, place not currently licensed by the board. If the event is
9 open to the public, it must be sponsored by a society or organization
10 as defined by RCW 66.24.375. If attendance at the event is limited to
11 members or invited guests of the sponsoring individual, society, or
12 organization, the requirement that the sponsor must be a society or
13 organization as defined by RCW 66.24.375 is waived. Cost of the
14 endorsement is three hundred fifty dollars.

15 (b) The holder of this license with catering endorsement shall, if
16 requested by the board, notify the board or its designee of the date,
17 time, place, and location of any catered event. Upon request, the
18 licensee shall provide to the board all necessary or requested
19 information concerning the society or organization that will be holding
20 the function at which the endorsed license will be utilized.

21 (7) Licensees under this section that hold a caterer's endorsement
22 are allowed to use this endorsement on a domestic winery premises under
23 the following conditions:

24 (a) Agreements between the domestic winery and the retail licensee
25 shall be in writing, contain no exclusivity clauses regarding the
26 alcohol beverages to be served, and be filed with the board; and

27 (b) The domestic winery and the retail licensee shall be separately
28 contracted and compensated by the persons sponsoring the event for
29 their respective services.

Passed by the Senate February 13, 2006.
Passed by the House February 28, 2006.
Approved by the Governor March 17, 2006.
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