

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1583

Chapter 390, Laws of 2007

60th Legislature
2007 Regular Session

AUTOMATIC SERVICE CHARGES--SERVERS

EFFECTIVE DATE: 07/22/07

Passed by the House March 12, 2007
Yeas 91 Nays 7

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 13, 2007
Yeas 41 Nays 3

BRAD OWEN

President of the Senate

Approved May 8, 2007, 4:45 p.m.

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 1583** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

May 10, 2007

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1583

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Moeller, Conway, Darneille, Wood, Green, Ormsby and Morrell)

READ FIRST TIME 2/28/07.

1 AN ACT Relating to disclosure of the percentage of automatic
2 service charges paid to servers; and adding a new section to chapter
3 19.48 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.48 RCW
6 to read as follows:

7 (1) An employer that imposes an automatic service charge related to
8 food, beverages, entertainment, or portorage provided to a customer
9 must disclose in an itemized receipt and in any menu provided to the
10 customer the percentage of the automatic service charge that is paid or
11 is payable directly to the employee or employees serving the customer.

12 (2) For purposes of this section:

13 (a) "Employee" means nonmanagerial, nonsupervisory workers,
14 including but not limited to servers, busers, banquet houseman, banquet
15 captains, bartenders, barbacks, and porters.

16 (b) "Employer" means employers as defined in RCW 49.46.010 that
17 provide food, beverages, entertainment, or portorage, including but not
18 limited to restaurants, catering houses, convention centers, and
19 overnight accommodations.

1 (c) "Service charge" means a separately designated amount collected
2 by employers from customers that is for services provided by employees,
3 or is described in such a way that customers might reasonably believe
4 that the amounts are for such services. Service charges include but
5 are not limited to charges designated on receipts as a "service
6 charge," "gratuity," "delivery charge," or "portage charge." Service
7 charges are in addition to hourly wages paid or payable to the employee
8 or employees serving the customer.

Passed by the House March 12, 2007.

Passed by the Senate April 13, 2007.

Approved by the Governor May 8, 2007.

Filed in Office of Secretary of State May 10, 2007.