

WSR 23-18-038
PERMANENT RULES
LIQUOR AND CANNABIS
BOARD

[Filed August 30, 2023, 10:13 a.m., effective September 30, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The Washington state liquor and cannabis board has adopted amendments to WAC 314-40-040 that allow private clubs to add additional membership drives and host consecutive membership drives.

Citation of Rules Affected by this Order: Amending WAC 314-40-040.

Statutory Authority for Adoption: RCW 66.08.030, 66.24.450.

Adopted under notice filed as WSR 23-14-121 on July 5, 2023.

A final cost-benefit analysis is available by contacting Daniel Jacobs, Rules Coordinator, 1025 Union Avenue S.E., Olympia, WA 98501, phone 360-480-1238, fax 360-664-3208, email rules@lcb.wa.gov, website www.lcb.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: August 30, 2023.

David Postman
Chair

OTS-4661.1

AMENDATORY SECTION (Amending WSR 17-16-072, filed 7/26/17, effective 8/26/17)

WAC 314-40-040 Guest and courtesy cards—Visitors. (1) Guest cards are intended for invited guests residing outside of the immediate area.

(a) Guest cards shall be issued no more than three times per year for a period not to exceed (~~fourteen~~) 14 consecutive days, and must be numbered serially, with a record of the issuance of each such card to be filed in a manner as to be readily accessible to the agents of the board;

(b) Contestants in golf or tennis tournaments conducted on the grounds of a licensed club will be considered a visitor for the day(s) of the event.

(2) Visitors may be introduced when accompanied at all times by a member, who is not an on duty employee, and may remain as long as such

member is present in the club. Any such visitor may only enjoy the privileges of the club six times in any one calendar year unless a different number of times is allowed in the club by-laws.

(3) Persons who are members in good standing of a national veterans organization may enjoy the privileges of any licensed club affiliated with any national veterans organization, and persons who are members in good standing of a national fraternal organization may enjoy the privileges of any club affiliated with that particular national fraternal organization if the bylaws of such clubs authorize reciprocal privileges. Subsections (1) and (2) of this section shall not apply to members of such organizations.

(4) Persons who are members in good standing of organizations licensed as private nonfraternal clubs may enjoy the privileges of other licensed nonfraternal clubs if the bylaws of such clubs authorize reciprocal privileges. Subsections (1) and (2) of this section shall not apply to members of such clubs.

(5) Courtesy cards may be issued to the adult members of the immediate family of any member with or without charge upon application being made to the club by the member.

(6) In order to recruit new members and build club membership, a private club may hold a public membership function for ~~((one))~~ two days per calendar quarter where club liquor may be given or sold to those attending as a part of the membership drive activities. The function must be advertised as a membership drive. ~~((Membership drives may not be held on consecutive days.))~~ A membership drive may be held on two consecutive days per calendar year. There must be at least seven days between membership events.

(7) A person issued a guest card by the club manager pursuant to subsection (1) of this section may introduce visitors into the club provided:

(a) The visitors are accompanied at all times by the sponsoring guest card holder;

(b) The visitors remain in the club only as long as the sponsoring guest card holder is present; and

(c) The house rules or bylaws of the club provide guest card holders the privilege of introducing visitors into the club.

[Statutory Authority: RCW 66.24.450. WSR 17-16-072, § 314-40-040, filed 7/26/17, effective 8/26/17. Statutory Authority: RCW 66.08.030 and 66.24.450. WSR 11-23-048, § 314-40-040, filed 11/9/11, effective 12/10/11; WSR 10-16-056, § 314-40-040, filed 7/28/10, effective 8/28/10. Statutory Authority: RCW 66.08.030. WSR 95-16-030, § 314-40-040, filed 7/21/95, effective 8/21/95; WSR 88-07-060 (Order 239, Resolution No. 248), § 314-40-040, filed 3/16/88; WSR 88-01-016 (Order 235, Resolution No. 244), § 314-40-040, filed 12/8/87; WSR 86-07-013 (Order 177, Resolution No. 186), § 314-40-040, filed 3/11/86. Statutory Authority: RCW 66.08.030 and 66.98.070. WSR 85-06-020 (Order 152, Resolution No. 161), § 314-40-040, filed 2/27/85; WSR 82-04-028 (Order 92, Resolution No. 101), § 314-40-040, filed 1/27/82; Rule 106, filed 6/13/63.]