

SHB 1496 - S AMD 570

By Senator Kohl-Welles

PULLED 04/19/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.08
4 RCW to read as follows:

5 Whenever a Washington state driver's license number, Washington
6 state identification card number, or social security card number is
7 required under this chapter for the purposes of registering to vote and
8 a person does not have either a Washington state driver's license
9 number, Washington state identification card number, or social security
10 number, the person's enrollment card issued by the governing authority
11 of a federally recognized Indian tribe in Washington shall satisfy the
12 requirement.

13 **Sec. 2.** RCW 66.16.040 and 2004 c 61 s 1 are each amended to read
14 as follows:

15 Except as otherwise provided by law, an employee in a state liquor
16 store or agency may sell liquor to any person of legal age to purchase
17 alcoholic beverages and may also sell to holders of permits such liquor
18 as may be purchased under such permits.

19 Where there may be a question of a person's right to purchase
20 liquor by reason of age, such person shall be required to present any
21 one of the following officially issued cards of identification which
22 shows his/her correct age and bears his/her signature and photograph:

23 (1) Liquor control authority card of identification of any state or
24 province of Canada.

25 (2) Driver's license, instruction permit or identification card of
26 any state or province of Canada, or "identocard" issued by the
27 Washington state department of licensing pursuant to RCW 46.20.117.

28 (3) United States armed forces identification card issued to active

1 duty, reserve, and retired personnel and the personnel's dependents,
2 which may include an imbedded, digital signature in lieu of a visible
3 signature.

4 (4) Passport.

5 (5) Merchant Marine identification card issued by the United States
6 Coast Guard.

7 (6) Enrollment card issued by the governing authority of a
8 federally recognized Indian tribe located in Washington, if the
9 enrollment card incorporates security features comparable to those
10 implemented by the department of licensing for Washington drivers'
11 licenses. At least ninety days prior to implementation of an
12 enrollment card under this subsection, the appropriate tribal authority
13 shall give notice to the board. The board shall publish and
14 communicate to licensees regarding the implementation of each new
15 enrollment card.

16 The board may adopt such regulations as it deems proper covering
17 the cards of identification listed in this section.

18 No liquor sold under this section shall be delivered until the
19 purchaser has paid for the liquor in cash, except as allowed under RCW
20 66.16.041. The use of a personal credit card does not rely upon the
21 credit of the state as prohibited by Article VIII, section 5 of the
22 state Constitution.

23 **Sec. 3.** RCW 70.155.090 and 1993 c 507 s 10 are each amended to
24 read as follows:

25 (1) Where there may be a question of a person's right to purchase
26 or obtain tobacco products by reason of age, the retailer, sampler, or
27 agent thereof, shall require the purchaser to present any one of the
28 following officially issued identification that shows the purchaser's
29 age and bears his or her signature and photograph: (a) Liquor control
30 authority card of identification of a state or province of Canada; (b)
31 driver's license, instruction permit, or identification card of a state
32 or province of Canada; (c) "identocard" issued by the Washington state
33 department of licensing under chapter 46.20 RCW; (d) United States
34 military identification; (e) passport; (f) enrollment card, issued by
35 the governing authority of a federally recognized Indian tribe located
36 in Washington, that incorporates security features comparable to those
37 implemented by the department of licensing for Washington drivers'

1 licenses. At least ninety days prior to implementation of an
2 enrollment card under this subsection, the appropriate tribal authority
3 shall give notice to the board. The board shall publish and
4 communicate to licensees regarding the implementation of each new
5 enrollment card; or (g) merchant marine identification card issued by
6 the United States coast guard.

7 (2) It is a defense to a prosecution under RCW 26.28.080(~~(+4)~~)
8 that the person making a sale reasonably relied on any of the
9 officially issued identification as defined in subsection (1) of this
10 section. The liquor control board shall waive the suspension or
11 revocation of a license if the licensee clearly establishes that he or
12 she acted in good faith to prevent violations and a violation occurred
13 despite the licensee's exercise of due diligence.

14 NEW SECTION. Sec. 4. Section 1 of this act takes effect January
15 1, 2006."

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16 On page 1, line 2 of the title, after "tribes;" strike the
17 remainder of the title and insert "amending RCW 66.16.040 and
18 70.155.090; adding a new section to chapter 29A.08 RCW; and providing
19 an effective date."

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