

SB 5048 - S AMD 141  
By Senator Oke

ADOPTED 02/14/2006

1 Beginning on page 3, line 29, strike all of section 4 and insert  
2 the following:

3 "Sec. 4. RCW 70.155.090 and 2005 c 206 s 2 are each amended to  
4 read as follows:

5 (1) Where there may be a question of a person's right to purchase  
6 or obtain tobacco products by reason of age, the retailer(~~(, sampler,)~~)  
7 or agent thereof, shall require the purchaser to present any one of the  
8 following officially issued identification that shows the purchaser's  
9 age and bears his or her signature and photograph: (a) Liquor control  
10 authority card of identification of a state or province of Canada; (b)  
11 driver's license, instruction permit, or identification card of a state  
12 or province of Canada; (c) "identocard" issued by the Washington state  
13 department of licensing under chapter 46.20 RCW; (d) United States  
14 military identification; (e) passport; (f) enrollment card, issued by  
15 the governing authority of a federally recognized Indian tribe located  
16 in Washington, that incorporates security features comparable to those  
17 implemented by the department of licensing for Washington drivers'  
18 licenses. At least ninety days prior to implementation of an  
19 enrollment card under this subsection, the appropriate tribal authority  
20 shall give notice to the board. The board shall publish and  
21 communicate to licensees regarding the implementation of each new  
22 enrollment card; or (g) merchant marine identification card issued by  
23 the United States coast guard.

24 (2) It is a defense to a prosecution under RCW 26.28.080 that the  
25 person making a sale reasonably relied on any of the officially issued  
26 identification as defined in subsection (1) of this section. The  
27 liquor control board shall waive the suspension or revocation of a  
28 license if the licensee clearly establishes that he or she acted in  
29 good faith to prevent violations and a violation occurred despite the  
30 licensee's exercise of due diligence."

EFFECT: Incorporates amendatory language to RCW 70.155.090 that was added last session by SHB 1496.

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