
HOUSE BILL 2974

State of Washington

65th Legislature

2018 Regular Session

By Representatives Young, Sawyer, Condotta, Jenkin, Kirby, and Vick

Read first time 01/31/18. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to authorizing spirits, beer, and wine theater
2 licensees to have one additional screen, but with no more than three
3 hundred seats, at which alcohol may be served under the terms of the
4 license; and amending RCW 66.24.655.

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

6 **Sec. 1.** RCW 66.24.655 and 2013 c 237 s 1 are each amended to
7 read as follows:

8 (1) There is a theater license to sell spirits, beer, including
9 strong beer, or wine, or all, at retail, for consumption on theater
10 premises. Except as otherwise provided in this subsection, a spirits,
11 beer, and wine theater license may be issued ((only)) to theaters
12 that have no more than one hundred twenty seats per screen and that
13 are maintained in a substantial manner as a place for preparing,
14 cooking, and serving complete meals and providing tabletop
15 accommodations for in-theater dining. A theater that otherwise meets
16 the requirements of this section, and that serves alcohol to
17 customers in each screen at the theater, may also have one additional
18 screen, but with no more than three hundred seats, at which alcohol
19 may be served under the terms of the license. Requirements for
20 complete meals are the same as those adopted by the board in rules
21 pursuant to chapter 34.05 RCW for a spirits, beer, and wine

1 restaurant license authorized by RCW 66.24.400. The annual fee for a
2 spirits, beer, and wine theater license is two thousand dollars.

3 (2) If the theater premises is to be frequented by minors, an
4 alcohol control plan must be submitted to the board at the time of
5 application. The alcohol control plan must be approved by the board
6 and be prominently posted on the premises, prior to minors being
7 allowed.

8 (3) For the purposes of this section:

9 (a) "Alcohol control plan" means a written, dated, and signed
10 plan submitted to the board by an applicant or licensee for the
11 entire theater premises, or rooms or areas therein, that shows where
12 and when alcohol is permitted, where and when minors are permitted,
13 and the control measures used to ensure that minors are not able to
14 obtain alcohol or be exposed to environments where drinking alcohol
15 predominates.

16 (b) "Theater" means a place of business where motion pictures or
17 other primarily nonparticipatory entertainment are shown.

18 (4) The board must adopt rules regarding alcohol control plans
19 and necessary control measures to ensure that minors are not able to
20 obtain alcohol or be exposed to areas where drinking alcohol
21 predominates. All alcohol control plans must include a requirement
22 that any person involved in the serving of spirits, beer, and/or wine
23 must have completed a mandatory alcohol server training program.

24 (5)(a) A licensee that is an entity that is exempt from taxation
25 under Title 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue
26 code of 1986, as amended as of January 1, 2013, may enter into
27 arrangements with a spirits, beer, or wine manufacturer, importer, or
28 distributor for brand advertising at the theater or promotion of
29 events held at the theater. The financial arrangements providing for
30 the brand advertising or promotion of events may not be used as an
31 inducement to purchase the products of the manufacturer, importer, or
32 distributor entering into the arrangement and such arrangements may
33 not result in the exclusion of brands or products of other companies.

34 (b) The arrangements allowed under this subsection (5) are an
35 exception to arrangements prohibited under RCW 66.28.305. The board
36 must monitor the impacts of these arrangements. The board may conduct
37 audits of a licensee and the affiliated business to determine
38 compliance with this subsection (5). Audits may include, but are not
39 limited to: Product selection at the facility; purchase patterns of
40 the licensee; contracts with the spirits, beer, or wine manufacturer,

1 importer, or distributor; and the amount allocated or used for
2 spirits, beer, or wine advertising by the licensee, affiliated
3 business, manufacturer, importer, or distributor under the
4 arrangements.

5 (6) The maximum penalties prescribed by the board in WAC
6 314-29-020 relating to fines and suspensions are double for
7 violations involving minors or the failure to follow the alcohol
8 control plan with respect to theaters licensed under this section.

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