
ENGROSSED HOUSE BILL 1330

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Horn, Heavey, G. Cole and Johanson; by request of
Liquor Control Board

Read first time 01/25/93. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to liquor licenses; amending RCW 66.24.010,
2 66.24.025, 66.24.380, 66.24.490, 66.28.010, 66.28.040, 66.28.070,
3 66.28.150, 66.28.155, and 66.44.310; prescribing penalties; and
4 declaring an emergency.

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

6 **Sec. 1.** RCW 66.24.010 and 1988 c 200 s 1 are each amended to read
7 as follows:

8 (1) Every license shall be issued in the name of the applicant, and
9 the holder thereof shall not allow any other person to use the license.

10 (2) For the purpose of considering any application for a license,
11 the board may cause an inspection of the premises to be made, and may
12 inquire into all matters in connection with the construction and
13 operation of the premises. For the purpose of reviewing any
14 application for a license and for considering the denial, suspension or
15 revocation of any license, the liquor control board may consider any
16 prior criminal conduct of the applicant and the provisions of RCW
17 9.95.240 and of chapter 9.96A RCW shall not apply to such cases. The
18 board may, in its discretion, grant or refuse the license applied for.
19 Further, authority to approve a license may be granted by the board to

1 any person or persons the board designates in writing. No retail
2 license of any kind may be issued to:

3 ~~((A person who has not resided in the state for at least one~~
4 ~~month prior to making application, except in cases of licenses issued~~
5 ~~to dining places on railroads, boats, or aircraft;~~

6 ~~(b))~~) A copartnership, unless all of the members thereof are
7 qualified to obtain a license, as provided in this section;

8 ~~((e))~~) (b) A person whose place of business is conducted by a
9 manager or agent, unless such manager or agent possesses the same
10 qualifications required of the licensee;

11 ~~((d))~~) (c) A corporation, unless it was created under the laws of
12 the state of Washington or holds a certificate of authority to transact
13 business in the state of Washington. Also, the officers and majority
14 shareholders that have a substantial interest must be at least twenty-
15 one years of age.

16 (3) The board may, in its discretion, subject to the provisions of
17 RCW 66.08.150, suspend or cancel any license; and all rights of the
18 licensee to keep or sell liquor thereunder shall be suspended or
19 terminated, as the case may be. The board may request the appointment
20 of administrative law judges under chapter 34.12 RCW who shall have
21 power to administer oaths, issue subpoenas for the attendance of
22 witnesses and the production of papers, books, accounts, documents, and
23 testimony, examine witnesses, and to receive testimony in any inquiry,
24 investigation, hearing, or proceeding in any part of the state, under
25 such rules and regulations as the board may adopt.

26 Witnesses shall be allowed fees and mileage each way to and from
27 any such inquiry, investigation, hearing, or proceeding at the rate
28 authorized by RCW 34.05.446, as now or hereafter amended. Fees need
29 not be paid in advance of appearance of witnesses to testify or to
30 produce books, records, or other legal evidence.

31 In case of disobedience of any person to comply with the order of
32 the board or a subpoena issued by the board, or any of its members, or
33 administrative law judges, or on the refusal of a witness to testify to
34 any matter regarding which he may be lawfully interrogated, the judge
35 of the superior court of the county in which the person resides, on
36 application of any member of the board or administrative law judge,
37 shall compel obedience by contempt proceedings, as in the case of
38 disobedience of the requirements of a subpoena issued from said court
39 or a refusal to testify therein.

1 (4) Upon receipt of notice of the suspension or cancellation of a
2 license, the licensee shall forthwith deliver up the license to the
3 board. Where the license has been suspended only, the board shall
4 return the license to the licensee at the expiration or termination of
5 the period of suspension. The board shall notify all vendors in the
6 city or place where the licensee has its premises of the suspension or
7 cancellation of the license; and no employee may allow or cause any
8 liquor to be delivered to or for any person at the premises of that
9 licensee.

10 (5)(a) At the time of the original issuance of a class H license,
11 the board shall prorate the license fee charged to the new licensee
12 according to the number of calendar quarters, or portion thereof,
13 remaining until the first renewal of that license is required.

14 (b) Unless sooner canceled, every license issued by the board shall
15 expire at midnight of the thirtieth day of June of the fiscal year for
16 which it was issued. However, if the board deems it feasible and
17 desirable to do so, it may establish, by rule pursuant to chapter 34.05
18 RCW, a system for staggering the annual renewal dates for any and all
19 licenses authorized by this chapter. If such a system of staggered
20 annual renewal dates is established by the board, the license fees
21 provided by this chapter shall be appropriately prorated during the
22 first year that the system is in effect.

23 (6) Every license issued under this section shall be subject to all
24 conditions and restrictions imposed by this title or by the regulations
25 in force from time to time. All conditions and restrictions imposed by
26 the board in the issuance of an individual license shall be listed on
27 the face of the individual license along with the trade name, address,
28 and expiration date.

29 (7) Every licensee shall post and keep posted its license, or
30 licenses, in a conspicuous place on the premises.

31 (8) Before the board shall issue a license to an applicant it shall
32 give notice of such application to the chief executive officer of the
33 incorporated city or town, if the application be for a license within
34 an incorporated city or town, or to the county legislative authority,
35 if the application be for a license outside the boundaries of
36 incorporated cities or towns; and such incorporated city or town,
37 through the official or employee selected by it, or the county
38 legislative authority or the official or employee selected by it, shall
39 have the right to file with the board within twenty days after date of

1 transmittal of such notice, written objections against the applicant or
2 against the premises for which the license is asked, and shall include
3 with such objections a statement of all facts upon which such
4 objections are based, and in case written objections are filed, may
5 request and the liquor control board may in its discretion hold a
6 formal hearing subject to the applicable provisions of Title 34 RCW, as
7 now or hereafter amended. Upon the granting of a license under this
8 title the board shall send a duplicate of the license or written
9 notification to the chief executive officer of the incorporated city or
10 town in which the license is granted, or to the county legislative
11 authority if the license is granted outside the boundaries of
12 incorporated cities or towns.

13 (9) Before the board issues any license to any applicant, it shall
14 give (a) due consideration to the location of the business to be
15 conducted under such license with respect to the proximity of churches,
16 schools, and public institutions and (b) written notice by certified
17 mail of the application to churches, schools, and public institutions
18 within five hundred feet of the premises to be licensed. The board
19 shall issue no beer retailer license class A, B, D, or E or wine
20 retailer license class C or F or class H license covering any premises
21 not now licensed, if such premises are within five hundred feet of the
22 premises of any tax-supported public elementary or secondary school
23 measured along the most direct route over or across established public
24 walks, streets, or other public passageway from the outer property line
25 of the school grounds to the nearest public entrance of the premises
26 proposed for license, and if, after receipt by the school or public
27 institution of the notice as provided in this subsection, the board
28 receives written notice, within twenty days after posting such notice,
29 from an official representative or representatives of the school within
30 five hundred feet of said proposed licensed premises, indicating to the
31 board that there is an objection to the issuance of such license
32 because of proximity to a school. For the purpose of this section,
33 church shall mean a building erected for and used exclusively for
34 religious worship and schooling or other activity in connection
35 therewith. No liquor license may be issued or reissued by the board to
36 any motor sports facility or licensee operating within the motor sports
37 facility unless the motor sports facility enforces a program reasonably
38 calculated to prevent alcohol or alcoholic beverages not purchased
39 within the facility from entering the facility and such program is

1 approved by local law enforcement agencies. It is the intent under
2 this subsection that a retail license shall not be issued by the board
3 where doing so would, in the judgment of the board, adversely affect a
4 private school meeting the requirements for private schools under Title
5 28A RCW, which school is within five hundred feet of the proposed
6 licensee. The board shall fully consider and give substantial weight
7 to objections filed by private schools. If a license is issued despite
8 the proximity of a private school, the board shall state in a letter
9 addressed to the private school the board's reasons for issuing the
10 license.

11 (10) The restrictions set forth in the preceding subsection shall
12 not prohibit the board from authorizing the transfer of existing
13 licenses now located within the restricted area to other persons or
14 locations within the restricted area: PROVIDED, Such transfer shall in
15 no case result in establishing the licensed premises closer to a church
16 or school than it was before the transfer.

17 (11) Nothing in this section prohibits the board, in its
18 discretion, from issuing a temporary retail or wholesaler license to a
19 transferee of a retail or wholesaler license to continue the operation
20 of the retail or wholesaler premises during the period a transfer
21 application for the license from person to person at the same premises
22 is pending and when the following conditions exist:

23 (a) The licensed premises has been operated under a retail or
24 wholesaler license within ninety days of the date of filing the
25 application for a temporary license;

26 (b) The retail or wholesaler license for the premises has been
27 surrendered pursuant to issuance of a temporary operating license;

28 (c) The applicant for the temporary license has filed with the
29 board an application for transfer of the retail or wholesaler license
30 at such premises to himself or herself; and

31 (d) The application for a temporary license is accompanied by a
32 temporary license fee established by the board by rule.

33 A temporary license issued by the board under this section shall be
34 for a period not to exceed sixty days. A temporary license may be
35 extended at the discretion of the board for an additional sixty-day
36 period upon payment of an additional fee and upon compliance with all
37 conditions required in this section.

38 Refusal by the board to issue or extend a temporary license shall
39 not entitle the applicant to request a hearing. A temporary license

1 may be canceled or suspended summarily at any time if the board
2 determines that good cause for cancellation or suspension exists. RCW
3 66.08.130 and chapter 34.05 RCW shall apply to temporary licenses.

4 Application for a temporary license shall be on such form as the
5 board shall prescribe. If an application for a temporary license is
6 withdrawn before issuance or is refused by the board, the fee which
7 accompanied such application shall be refunded in full.

8 **Sec. 2.** RCW 66.24.025 and 1981 1st ex.s. c 5 s 11 are each amended
9 to read as follows:

10 (1) The holder of one or more licenses may assign and transfer the
11 same to any qualified person under such rules and regulations as the
12 board may prescribe: PROVIDED, HOWEVER, That no such assignment and
13 transfer shall be made which will result in both a change of licensee
14 and change of location; the fee for such assignment and transfer shall
15 be seventy-five dollars: PROVIDED, FURTHER, That no fee will be
16 charged for transfer to the surviving spouse only of a deceased
17 licensee if the parties were maintaining a marital community and the
18 license was issued in the names of one or both of the parties.

19 (2) The proposed sale of more than ten percent of the outstanding
20 and/or issued stock of a licensed corporation or any proposed change in
21 the officers of a licensed corporation must be reported to the board,
22 and board approval must be obtained before such changes are made. All
23 officers and majority shareholders having a substantial interest must
24 be at least twenty-one years of age. A fee of seventy-five dollars
25 will be charged for the processing of such change of stock ownership
26 and/or corporate officers.

27 **Sec. 3.** RCW 66.24.380 and 1988 c 200 s 2 are each amended to read
28 as follows:

29 There shall be a beer retailer's license to be designated as class
30 G; a special license to a society or organization to sell beer at
31 picnics or other special occasions at a specified date and place; fee
32 thirty-five dollars per day. Sale, service, and consumption of beer is
33 to be confined to specified premises or designated areas only.
34 However, a holder of a class G license may sell, at no more than two
35 licensed events each year to members and guests in attendance at the
36 special occasion, limited quantities of beer in unopened bottles and
37 original packages not exceeding four gallons of malt liquor in kegs or

1 other containers, not to be consumed on the premises where sold, by
2 paying an additional fee of ten dollars a day. The board shall adopt
3 rules under chapter 34.05 RCW for the purpose of carrying out the
4 provisions of this section.

5 **Sec. 4.** RCW 66.24.490 and 1987 c 386 s 6 are each amended to read
6 as follows:

7 (1) There shall be a retailer's license to be designated as a class
8 I license; this shall be a special occasion license (~~((to))~~) which may be
9 issued to the holder of a class A, C, D, or H license to extend the
10 privilege of selling and serving (~~((spirituous))~~) liquor (~~((by the~~
11 ~~individual glass, beer, and wine))~~) as authorized under the license, at
12 retail, for consumption on the premises, to members and guests of a
13 society or organization on special occasions at a specified date and
14 place when such special occasions of such groups are held on premises
15 other than the (~~((class H))~~) licensed premises and for consumption on the
16 premises of such outside location. The holder of such special occasion
17 license shall be allowed to remove from the liquor stocks at the
18 licensed class A, C, D, or H premises, liquor for sale and service at
19 such special occasion locations. (~~((Such))~~) A single event special class
20 I license (~~((shall))~~) may be issued for a specified date and place and
21 upon payment of a fee of twenty-five dollars per day (~~((or 7))~~). No more
22 than two single event class I licenses may be issued during any twelve-
23 month period to a licensee. Upon proper application to the liquor
24 control board, an annual class I license may be issued to the holder of
25 a class A, C, D, or H license upon payment of a fee of three hundred
26 fifty dollars.

27 (2) The holder of (~~((an annual))~~) a class I license shall obtain
28 (~~((prior))~~) approval from the board (~~((approval))~~) or its designee for each
29 event at which the class I license will be utilized. When applying for
30 such board approval, the class I licensee shall provide to the board
31 all necessary or requested information concerning the society or
32 organization which will be holding the function at which the class I
33 license will be utilized.

34 (3) Upon receipt of a request for utilization of a class I license
35 at a particular time and place, the board shall (~~((give notification of~~
36 ~~the pending request to the chief executive officer of the incorporated~~
37 ~~city or town, if the function is to be held within an incorporated city~~
38 ~~or town, or to the county legislative authority if the function is to~~

1 ~~be held outside the boundaries of incorporated cities or towns~~) ensure
2 that the class I licensee has notified local authorities.

3 (4) If attendance at the function, for which class I license
4 utilization approval is requested, will be open to the general public,
5 board approval may only be given where the society or organization
6 sponsoring the function is within the definition of "society or
7 organization" in RCW 66.24.375. If attendance at the function will be
8 limited to members and invited guests of the sponsoring society or
9 organization, board approval may be given even though the sponsoring
10 society or organization is not within the definition of "society or
11 organization" in RCW 66.24.375.

12 (5) Where the applicant for (~~either~~) a (~~daily or annual~~) class
13 I license is a (~~class H~~) club licensee, the board shall not issue the
14 class I license, or approve the use of a previously issued class I
15 license, unless the following requirements are met:

16 (a) The gross food sales of the (~~class H~~) club exceed its gross
17 liquor sales; and

18 (b) The event for which the class I license will be used is hosted
19 by a member of the (~~class H~~) licensed club.

20 **Sec. 5.** RCW 66.28.010 and 1992 c 78 s 1 are each amended to read
21 as follows:

22 (1) No manufacturer, importer, or wholesaler, or person financially
23 interested, directly or indirectly, in such business, whether resident
24 or nonresident, shall have any financial interest, direct or indirect,
25 in any licensed retail business, nor shall any manufacturer, importer,
26 or wholesaler own any of the property upon which such licensed persons
27 conduct their business, nor shall any such licensed person, under any
28 arrangement whatsoever, conduct his business upon property in which any
29 manufacturer, importer, or wholesaler has any interest. Except as
30 provided in subsection (3) of this section, no manufacturer, importer,
31 or wholesaler shall advance moneys or moneys' worth to a licensed
32 person under an arrangement, nor shall such licensed person receive,
33 under an arrangement, an advance of moneys or moneys' worth: PROVIDED,
34 That "person" as used in this section only shall not include those
35 state or federally chartered banks, state or federally chartered
36 savings and loan associations, state or federally chartered mutual
37 savings banks, or institutional investors which are not controlled
38 directly or indirectly by a manufacturer, importer, or wholesaler as

1 long as the bank, savings and loan association, or institutional
2 investor does not influence or attempt to influence the purchasing
3 practices of the retailer with respect to alcoholic beverages. No
4 manufacturer, importer, or wholesaler shall be eligible to receive or
5 hold a retail license under this title, nor shall such manufacturer,
6 importer, or wholesaler sell at retail any liquor as herein defined:
7 PROVIDED, That nothing in this section shall prohibit a licensed brewer
8 from being licensed as a retailer pursuant to chapter 66.24 RCW for the
9 purpose of selling beer or wine at retail on the brewery premises and
10 nothing in this section shall prohibit a domestic winery from being
11 licensed as a retailer pursuant to chapter 66.24 RCW for the purpose of
12 selling beer or wine at retail on the winery premises. Such beer and
13 wine so sold at retail shall be subject to the taxes imposed by RCW
14 66.24.290 and 66.24.210 and to reporting and bonding requirements as
15 prescribed by regulations adopted by the board pursuant to chapter
16 34.05 RCW, and beer and wine that is not produced by the brewery or
17 winery shall be purchased from a licensed beer or wine wholesaler:
18 PROVIDED FURTHER, That nothing in this section shall prohibit a
19 licensed brewer or domestic winery, or a lessee of a licensed brewer or
20 domestic winery, from being licensed as a class H restaurant pursuant
21 to chapter 66.24 RCW for the purpose of selling liquor at a class H
22 premises on the property on which the primary manufacturing facility of
23 the licensed brewer or domestic winery is located or on contiguous
24 property owned by the licensed brewer or domestic winery as prescribed
25 by regulations adopted by the board pursuant to chapter 34.05 RCW.

26 (2) Financial interest, direct or indirect, as used in this
27 section, shall include any interest, whether by stock ownership,
28 mortgage, lien, or through interlocking directors, or otherwise.
29 Pursuant to rules promulgated by the board in accordance with chapter
30 34.05 RCW manufacturers, wholesalers and importers may perform, and
31 retailers may accept the service of building, rotating and restocking
32 case displays and stock room inventories; rotating and rearranging can
33 and bottle displays of their own products; provide point of sale
34 material and brand signs; price case goods of their own brands; and
35 perform such similar normal business services as the board may by
36 regulation prescribe.

37 (3)(a) This section does not prohibit a manufacturer, importer, or
38 wholesaler from providing services to a class G or J retail licensee
39 for: (i) Installation of draft beer dispensing equipment or

1 advertising, (ii) advertising, pouring or dispensing of beer or wine at
2 a beer or wine tasting exhibition or judging event, or (iii) a class G
3 or J retail licensee from receiving any such services as may be
4 provided by a manufacturer, importer, or wholesaler: PROVIDED, That
5 nothing in this section shall prohibit a retail licensee, or any person
6 financially interested, directly or indirectly, in such a retail
7 licensee from having a financial interest, direct or indirect, in a
8 business which provides, for a compensation commensurate in value to
9 the services provided, bottling, canning or other services to a
10 manufacturer, so long as the retail licensee or person interested
11 therein has no direct financial interest in or control of said
12 manufacturer.

13 (b) A person holding contractual rights to payment from selling a
14 liquor wholesaler's business and transferring the license shall not be
15 deemed to have a financial interest under this section if the person
16 (i) lacks any ownership in or control of the wholesaler, (ii) is not
17 employed by the wholesaler, and (iii) does not influence or attempt to
18 influence liquor purchases by retail liquor licensees from the
19 wholesaler.

20 (c) The board shall adopt such rules as are deemed necessary to
21 carry out the purposes and provisions of subsection (3)(a) of this
22 section in accordance with the administrative procedure act, chapter
23 34.05 RCW.

24 (4) A license issued under RCW 66.24.395 does not constitute a
25 retail license for the purposes of this section.

26 **Sec. 6.** RCW 66.28.040 and 1987 c 452 s 15 are each amended to read
27 as follows:

28 Except as permitted by the board under RCW 66.20.010, no brewer,
29 wholesaler, distiller, winery, importer, rectifier, or other
30 manufacturer of liquor shall, within the state, by himself, his clerk,
31 servant, or agent, give to any person any liquor; but nothing in this
32 section nor in RCW 66.28.010 shall prevent a brewer, wholesaler,
33 winery, distiller, or importer from furnishing samples of (~~beer or~~
34 ~~wine~~) liquor to authorized licensees for the purpose of negotiating a
35 sale, in accordance with regulations adopted by the liquor control
36 board, provided that the samples are subject to taxes imposed by RCW
37 66.24.290 and 66.24.210; nothing in this section shall prevent the
38 furnishing of samples of liquor to the board for the purpose of

1 negotiating the sale of liquor to the state liquor control board;
2 nothing in this section shall prevent a brewery, winery, distiller, or
3 wholesaler from furnishing (~~beer or wine~~) liquor for instructional
4 purposes under RCW 66.28.150; nothing in this section shall prevent a
5 winery or wholesaler from furnishing wine without charge to a not-for-
6 profit group organized and operated solely for the purpose of enology
7 or the study of viticulture which has been in existence for at least
8 six months and any wine so furnished shall be used solely for such
9 educational purposes, provided that the wine furnished shall be subject
10 to the taxes imposed by RCW 66.24.210; nothing in this section shall
11 prevent a brewer from serving beer without charge, on the brewery
12 premises; nothing in this section shall prevent donations of wine for
13 the purposes of RCW 66.12.180; and nothing in this section shall
14 prevent a domestic winery from serving wine without charge, on the
15 winery premises. Nothing in this section prevents a distillery from
16 serving liquor, purchased from the board, for use as samples without
17 charge at charitable events such as concerts or fund-raisers subject to
18 rules adopted by the board.

19 **Sec. 7.** RCW 66.28.070 and 1987 c 205 s 1 are each amended to read
20 as follows:

21 (1) Except as provided in subsection (2) of this section, it shall
22 be unlawful for any retail beer licensee to purchase beer, except from
23 a duly licensed beer wholesaler, and it shall be unlawful for any
24 brewer or beer wholesaler to purchase beer, except from a duly licensed
25 beer wholesaler or beer importer.

26 (2) A beer retailer licensee may purchase beer from a government
27 agency which has lawfully seized beer from a licensed beer retailer, or
28 from a board-authorized retailer, or from a licensed retailer which has
29 discontinued business if the wholesaler has refused to accept beer from
30 that retailer for return and refund. Beer purchased under this
31 subsection shall meet the quality standards set by its manufacturer.

32 (3) Special occasion licensees holding either a class G or J
33 license may purchase beer or wine from a beer or wine retailer duly
34 licensed to sell beer or wine for off-premises consumption or from a
35 duly licensed beer or wine wholesaler.

36 **Sec. 8.** RCW 66.28.150 and 1982 1st ex.s. c 26 s 1 are each amended
37 to read as follows:

1 A brewery, winery, distillery, or wholesaler may, without charge,
2 instruct licensees and their employees, or conduct courses of
3 instruction for licensees and their employees, on the subject of ((beer
4 ~~or wine~~)) liquor, including but not limited to, the history, nature,
5 values, and characteristics of beer, spirituous liquor, or wine, the
6 use of wine lists, and the methods of presenting, serving, storing, and
7 handling ((beer or wine)) liquor. The ((brewery, winery,)) liquor
8 manufacturer or wholesaler may furnish ((beer or wine)) liquor and such
9 other equipment, materials, and utensils as may be required for use in
10 connection with the instruction or courses of instruction. The
11 instruction or courses of instruction may be given at the premises of
12 the ((brewery, winery,)) liquor manufacturer or wholesaler, at the
13 premises of a retail licensee, or elsewhere.

14 **Sec. 9.** RCW 66.28.155 and 1984 c 196 s 1 are each amended to read
15 as follows:

16 A brewery, winery, distillery, wholesaler, or its licensed agent
17 may conduct educational activities or provide product information to
18 the consumer on the licensed premises of a retailer. Information on
19 the subject of ((wine or beer,)) liquor including, but not limited to,
20 the history, nature, quality, and characteristics of a ((wine or beer))
21 specific liquor product, methods of harvest, production, storage,
22 handling, and distribution of a ((wine or beer)) specific liquor
23 product, and the general development of the ((wine and beer)) liquor
24 industry may be provided by a ((brewery, winery)) liquor manufacturer,
25 wholesaler, or its licensed agent to the public on the licensed
26 premises of a retailer. The retailer requesting such activity shall
27 attempt to schedule a series of brewery, winery, and wholesaler
28 appearances in an effort to equitably represent the industries.
29 Nothing in this section permits a ((brewery, winery)) liquor
30 manufacturer, wholesaler, or its licensed agent to receive compensation
31 or financial benefit from the educational activities or product
32 information presented on the licensed premises of a retailer. The
33 promotional value of such educational activities or product information
34 shall not be considered advancement of moneys or of moneys' worth
35 within the meaning of RCW 66.28.010.

36 **Sec. 10.** RCW 66.44.310 and 1981 1st ex.s. c 5 s 24 are each
37 amended to read as follows:

1 (1) Except as otherwise provided by RCW 66.44.316 and 66.44.350, it
2 shall be a misdemeanor,

3 (a) To serve or allow to remain on the premises of any tavern,
4 ~~((or))~~ cocktail lounge portion of any class H licensed premises, or
5 taproom portion of any A, C, or D licensed premises, any person under
6 the age of twenty-one years;

7 (b) For any person under the age of twenty-one years to enter or
8 remain on the premises of any tavern, or cocktail lounge portion of any
9 public class H licensed premises;

10 (c) For any person under the age of twenty-one years to represent
11 his age as being twenty-one or more years for the purpose of securing
12 admission to, or remaining on the premises of, any tavern or cocktail
13 lounge portion of any class H licensed premises.

14 (2) The Washington state liquor control board shall have the power
15 and it shall be its duty to classify the various licensees, as taverns
16 or otherwise, within the meaning of this title, except bona fide
17 restaurants, dining rooms and cafes serving commercial food to the
18 public shall not be classified as taverns during the hours such food
19 service is made available to the public.

20 NEW SECTION. **Sec. 11.** This act is necessary for the immediate
21 preservation of the public peace, health, or safety, or support of the
22 state government and its existing public institutions, and shall take
23 effect immediately.

--- END ---