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**SUBSTITUTE SENATE BILL 6298**

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**State of Washington**

**53rd Legislature**

**1994 Regular Session**

**By** Senate Committee on Labor & Commerce (originally sponsored by Senators Moore, Prentice and Newhouse; by request of Liquor Control Board)

Read first time 02/03/94.

1 AN ACT Relating to the improvement of the licensing and enforcement  
2 sections of the Washington State Liquor Act; amending RCW 66.20.200,  
3 66.24.350, 66.24.455, 66.24.490, 66.28.070, 66.28.140, 66.44.300, and  
4 66.44.310; and adding a new section to chapter 66.24 RCW.

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

6 **Sec. 1.** RCW 66.20.200 and 1987 c 101 s 4 are each amended to read  
7 as follows:

8 It shall be unlawful for the owner of a card of identification to  
9 transfer the card to any other person for the purpose of aiding such  
10 person to procure alcoholic beverages from any licensee or store  
11 employee. Any person who shall permit his or her card of  
12 identification to be used by another or transfer such card to another  
13 for the purpose of aiding such transferee to obtain alcoholic beverages  
14 from a licensee or store employee or gain admission to a premises or  
15 portion of a premises classified by the board as off-limits to persons  
16 under twenty-one years of age, shall be guilty of a misdemeanor  
17 punishable as provided by RCW 9A.20.021, except that a minimum fine of  
18 two hundred fifty dollars shall be imposed and any sentence requiring  
19 community service shall require not fewer than twenty-five hours of

1 such service. Any person not entitled thereto who unlawfully procures  
2 or has issued or transferred to him or her a card of identification,  
3 and any person who possesses a card of identification not issued to him  
4 or her, and any person who makes any false statement on any  
5 certification card required by RCW 66.20.190, as now or hereafter  
6 amended, to be signed by him or her, shall be guilty of a misdemeanor  
7 punishable as provided by RCW 9A.20.021, except that a minimum fine of  
8 two hundred fifty dollars shall be imposed and any sentence requiring  
9 community service shall require not fewer than twenty-five hours of  
10 such service.

11 **Sec. 2.** RCW 66.24.350 and 1991 c 42 s 3 are each amended to read  
12 as follows:

13 There shall be a beer retailer's license to be designated as [a]  
14 class D license to sell beer by the (~~opened~~) bottle at retail, for  
15 consumption upon the premises only, such license to be issued to  
16 hotels, restaurants, dining places on boats and aeroplanes, clubs, drug  
17 stores, or soda fountains, and such other places where the sale of beer  
18 is not the principal business conducted; fee one hundred twenty-five  
19 dollars per annum.

20 **Sec. 3.** RCW 66.24.455 and 1974 ex.s. c 65 s 1 are each amended to  
21 read as follows:

22 Subject to approval by the board, holders of class A, B, C, D, or  
23 H licenses may extend their premises for the sale, service and  
24 consumption of liquor authorized under their respective licenses to the  
25 concourse or lane areas in a bowling establishment where the concourse  
26 or lane areas are adjacent to the food preparation service facility.

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

29 (1) There shall be a retailer's license to be designated as a class  
30 I caterer's license; this shall be a special occasion license to be  
31 issued to the holder of a class A, C, D, or public H license to extend  
32 the privilege of selling and serving (~~spirituous~~) liquor (~~by the~~  
33 ~~individual glass, beer, and wine,~~) as authorized under such a license  
34 at retail, for consumption on the premises, to members and guests of a  
35 society or organization on special occasions at a specified date and  
36 place when such special occasions of such groups are held on premises

1 other than the (~~class H~~) licensed premises and for consumption on the  
2 premises of such outside location. The holder of such special occasion  
3 license shall be allowed to remove from the liquor stocks at the  
4 licensed (~~class H~~) premises, and allow liquor for sale and service at  
5 such special occasion locations. (~~Such special class I license shall~~  
6 ~~be issued for a specified date and place and~~) Upon payment of a fee of  
7 twenty-five dollars per day or, upon proper application to the liquor  
8 control board, an annual class I license may be issued to the holder of  
9 a class A, C, D, or public H license upon payment of a fee of three  
10 hundred fifty dollars.

11 (2) The holder of (~~an annual~~) a class I license shall (~~obtain~~  
12 ~~prior board approval for each event at which the class I license will~~  
13 ~~be utilized. When applying for such board approval~~), if requested by  
14 the board, notify the board or its designee of the date, time, place,  
15 and location of any catered event. Upon request the class I licensee  
16 shall provide to the board all necessary or requested information  
17 concerning the society or organization which will be holding the  
18 function at which the class I license will be utilized.

19 (3) (~~Upon receipt of a request for utilization of a class I~~  
20 ~~license at a particular time and place, the board shall give~~  
21 ~~notification of the pending request to the chief executive officer of~~  
22 ~~the incorporated city or town, if the function is to be held within an~~  
23 ~~incorporated city or town, or to the county legislative authority if~~  
24 ~~the function is to be held outside the boundaries of incorporated~~  
25 ~~cities or towns.~~

26 (4)) If attendance at the function(~~, for which class I license~~  
27 ~~utilization approval is requested,~~) will be open to the general  
28 public, (~~board approval may only be given where~~) the society or  
29 organization sponsoring the function (~~is~~) shall be within the  
30 definition of "society or organization" in RCW 66.24.375. If  
31 attendance at the function will be limited to members and invited  
32 guests of the sponsoring society or organization, (~~board approval may~~  
33 ~~be given even though the sponsoring society or organization is not~~  
34 ~~within the definition of "society or organization" in RCW 66.24.375.~~

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

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

3       ~~(b) The event for which the class I license will be used is hosted~~  
4 ~~by a member of the class H licensed club)) then the requirement that~~  
5 ~~the society or organization be within the definition of RCW 66.24.375~~  
6 ~~is waived.~~

7       **NEW SECTION.**   **Sec. 5.** A new section is added to chapter 66.24 RCW  
8 to read as follows:

9       There shall be an international export beer and wine license issued  
10 by the board to a retailer holding both a class E and class F retail  
11 license.

12       (1) Any beer or wine sold by the holder of this license must have  
13 been purchased from a licensed beer or wine wholesaler licensed to do  
14 business within the state of Washington.

15       (2) Any beer and wine sold under this license shall be intended for  
16 consumption outside the state of Washington and the United States and  
17 appropriate records shall be maintained by the licensee.

18       (3) A holder of both a retail class E and F retail license and this  
19 international export beer and wine license shall be considered not in  
20 violation of RCW 66.28.010.

21       (4) Any beer or wine sold under this license shall be sold at a  
22 price no less than the acquisition price paid by the holder of the  
23 license.

24       (5) The annual cost of this license shall be five hundred dollars  
25 and shall be in addition to any other retail liquor license fees paid  
26 by the licensee.

27       **Sec. 6.** RCW 66.28.070 and 1987 c 205 s 1 are each amended to read  
28 as follows:

29       (1) Except as provided in subsection (2) of this section, it shall  
30 be unlawful for any retail beer or wine licensee to purchase beer or  
31 wine, except from a duly licensed (~~beer~~) wholesaler or the board, and  
32 it shall be unlawful for any brewer, winery, or beer or wine wholesaler  
33 to purchase beer or wine, except from a duly licensed beer or wine  
34 wholesaler or (~~beer~~) importer.

35       (2) A beer or wine retailer licensee may purchase beer or wine from  
36 a government agency which has lawfully seized beer or wine from a  
37 licensed beer or wine retailer, or from a board-authorized retailer, or

1 from a licensed retailer which has discontinued business if the  
2 wholesaler has refused to accept beer or wine from that retailer for  
3 return and refund. Beer and wine purchased under this subsection shall  
4 meet the quality standards set by its manufacturer.

5 (3) Special occasion licensees holding either a class G or J  
6 license may only purchase beer or wine from a beer or wine retailer  
7 duly licensed to sell beer or wine for off-premises consumption, the  
8 board, or from a duly licensed beer or wine wholesaler.

9 **Sec. 7.** RCW 66.28.140 and 1981 c 255 s 2 are each amended to read  
10 as follows:

11 (1) An adult member of a household may remove family beer or wine  
12 from the home for exhibition or use at organized beer or wine tastings  
13 or competitions, subject to the following conditions:

14 (a) The quantity removed by a producer for these purposes is  
15 limited to a quantity not exceeding one gallon;

16 (b) Family beer or wine is not removed for sale or for the use of  
17 any person other than the producer. This subparagraph does not  
18 preclude any necessary tasting of the beer or wine when the exhibition  
19 or beer or wine tasting includes judging the merits of the wine by  
20 judges who have been selected by the organization sponsoring the  
21 affair; and

22 (c) When the display contest or judging purpose has been served,  
23 any remaining portion of the sample is returned to the family premises  
24 from which removed.

25 (2) As used in this section, "family beer or wine" means beer or  
26 wine manufactured in the home for consumption therein, and not for  
27 sale.

28 **Sec. 8.** RCW 66.44.300 and 1941 c 78 s 1 are each amended to read  
29 as follows:

30 Any person who invites a minor into a public place where liquor is  
31 sold and treats, gives or purchases liquor for such minor, or permits  
32 a minor to treat, give or purchase liquor for ~~((him))~~ the adult; or  
33 holds out such minor to be ~~((over the age of))~~ twenty-one years of age  
34 or older to the owner or employee of the liquor establishment, a law  
35 enforcement officer, or a liquor enforcement officer shall be guilty of  
36 a misdemeanor.

1       **Sec. 9.** RCW 66.44.310 and 1981 1st ex.s. c 5 s 24 are each amended  
2 to read as follows:

3       (1) Except as otherwise provided by RCW 66.44.316 and 66.44.350, it  
4 shall be a misdemeanor(~~(7)~~):

5       (a) To serve or allow to remain (~~(on the premises of any tavern, or~~  
6 ~~cocktail lounge portion of any class H licensed premises,~~) in any area  
7 classified by the board as off-limits to any person under the age of  
8 twenty-one years;

9       (b) For any person under the age of twenty-one years to enter or  
10 remain (~~(on the premises of any tavern, or cocktail lounge portion of~~  
11 ~~any public class H licensed premises)~~) in any area classified as off-  
12 limits to such a person, but persons under twenty-one years of age may  
13 pass through a restricted area in a facility holding a class H club  
14 license;

15       (c) For any person under the age of twenty-one years to represent  
16 his or her age as being twenty-one or more years for the purpose of  
17 purchasing liquor or securing admission to, or remaining (~~(on the~~  
18 ~~premises of, any tavern or cocktail lounge portion of any class H~~  
19 ~~licensed premises)~~) in any area classified by the board as off-limits  
20 to such a person.

21       (2) The Washington state liquor control board shall have the power  
22 and it shall be its duty to classify (~~(the various licensees, as~~  
23 ~~taverns or otherwise, within the meaning of this title, except bona~~  
24 ~~fide restaurants, dining rooms and cafes serving commercial food to the~~  
25 ~~public shall not be classified as taverns during the hours such food~~  
26 ~~service is made available to the public)~~) licensed premises or portions  
27 of licensed premises as off-limits to persons under the age of twenty-  
28 one years of age.

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