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SENATE BILL 5304

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State of Washington                      56th Legislature                      1999 Regular Session

By Senators Costa, Heavey, Fairley, Goings, McCaslin and West

Read first time 01/19/1999. Referred to Committee on Judiciary.

1            AN ACT Relating to penalties imposed for violations of the state  
2 liquor code; amending RCW 66.28.230, 66.44.180, and 66.44.100; creating  
3 a new section; prescribing penalties; providing an effective date; and  
4 declaring an emergency.

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

6            **Sec. 1.** RCW 66.28.230 and 1989 c 271 s 232 are each amended to  
7 read as follows:

8            (1) Except as provided in subsection (2) of this section, the  
9 violation of any provisions of RCW 66.28.200 through 66.28.220 is  
10 (~~punishable by a fine of not more than five hundred dollars~~) a  
11 misdemeanor punishable under RCW 9.92.030.

12            (2) Except as provided in RCW 66.44.270, a person who intentionally  
13 furnishes a keg or other container containing four or more gallons of  
14 malt liquor to a minor is (~~liable, on conviction, for a first offense~~  
15 ~~for a penalty of not more than five hundred dollars, or for~~  
16 ~~imprisonment for not more than two months, or both; for a second~~  
17 ~~offense for a penalty of not more than five hundred dollars or~~  
18 ~~imprisonment for not more than six months, or both; and for a third or~~  
19 ~~subsequent offense for a penalty of not more than five hundred dollars~~

1 ~~or imprisonment for more than one year, or both))~~ guilty of a  
2 misdemeanor punishable under RCW 9.92.030.

3 **Sec. 2.** RCW 66.44.180 and 1987 c 202 s 225 are each amended to  
4 read as follows:

5 Every person (~~(guilty of))~~ found to have committed a violation of  
6 this title for which no penalty has been specifically provided (~~(shall~~  
7 ~~be liable, on conviction, for a first offense to a penalty of not more~~  
8 ~~than five hundred dollars, or to imprisonment for not more than two~~  
9 ~~months, or both; for a second offense to imprisonment for not more than~~  
10 ~~six months; and for a third or subsequent offense to imprisonment for~~  
11 ~~not more than one year))~~ is guilty of a gross misdemeanor punishable  
12 under RCW 9.92.020. If the offender convicted of an offense referred  
13 to in this section is a corporation, it shall for a first offense be  
14 liable to a penalty of not more than five thousand dollars(~~(, and))~~;  
15 for a second or subsequent offense to a penalty of not more than ten  
16 thousand dollars, or to forfeiture of its corporate license, or both.

17 Every district (~~(judge))~~ and municipal (~~(judge))~~ court shall have  
18 concurrent jurisdiction with the superior courts (~~(judges))~~ of the  
19 state of Washington of all violations of the provisions of this title  
20 and may impose any punishment provided therefor.

21 **Sec. 3.** RCW 66.44.100 and 1981 1st ex.s. c 5 s 21 are each amended  
22 to read as follows:

23 Except as permitted by this title, no person shall open the package  
24 containing liquor or consume liquor in a public place. Every person  
25 who violates any provision of this section shall be guilty of a  
26 misdemeanor(~~(, and on conviction therefor shall be fined not more than~~  
27 ~~one hundred dollars))~~ punishable under RCW 9.92.030.

28 NEW SECTION. **Sec. 4.** This act applies to crimes committed on or  
29 after July 1, 1999.

30 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
31 preservation of the public peace, health, or safety, or support of the  
32 state government and its existing public institutions, and takes effect  
33 July 1, 1999.

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