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**SUBSTITUTE HOUSE BILL 1118**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Darneille, Lovick, Conway, Cairnes, Mielke, Pearson, Roach, Benson and Wallace)

READ FIRST TIME 02/11/03.

1 AN ACT Relating to penalties for violations of the state liquor  
2 code; amending RCW 66.44.100; and prescribing penalties.

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

4 **Sec. 1.** RCW 66.44.100 and 1999 c 189 s 3 are each amended to read  
5 as follows:

6 Except as permitted by this title, no person shall open the package  
7 containing liquor or consume liquor in a public place. Every person  
8 who violates any provision of this section shall be guilty of a class  
9 3 civil infraction under chapter 7.80 RCW. As an alternative penalty  
10 for the offense provided by this section, the legislative body of a  
11 county or city may enact an ordinance providing for a misdemeanor  
12 penalty for this offense when it occurs in a business district. The  
13 ordinance shall: (1) Require that the arresting officer have probable  
14 cause to believe that the person is inebriated; and (2) define business  
15 district.

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