

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1395

58th Legislature
2003 Regular Session

Passed by the House March 5, 2003
Yeas 97 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 15, 2003
Yeas 45 Nays 4

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1395** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1395

Passed Legislature - 2003 Regular Session

State of Washington 58th Legislature 2003 Regular Session

By Representatives Sullivan, Bailey, Wood, Chandler and Pflug

Read first time 01/24/2003. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to the catering of alcoholic beverages at special
2 events by nonprofit organizations; and amending RCW 66.24.320,
3 66.24.420, and 66.24.570.

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

5 **Sec. 1.** RCW 66.24.320 and 1998 c 126 s 4 are each amended to read
6 as follows:

7 There shall be a beer and/or wine restaurant license to sell beer
8 or wine, or both, at retail, for consumption on the premises. A patron
9 of the licensee may remove from the premises, recorked or recapped in
10 its original container, any portion of wine that was purchased for
11 consumption with a meal.

12 (1) The annual fee shall be two hundred dollars for the beer
13 license, two hundred dollars for the wine license, or four hundred
14 dollars for a combination beer and wine license.

15 (2)(a) The board may issue a caterer's endorsement to this license
16 to allow the licensee to remove from the liquor stocks at the licensed
17 premises, only those types of liquor that are authorized under the on-

1 premises license privileges for sale and service at (~~special~~
2 ~~occasion~~) event locations at a specified date and place not currently
3 licensed by the board. (~~The privilege of selling and serving liquor~~
4 ~~under the endorsement is limited to members and guests of a society or~~
5 ~~organization as defined in RCW 66.24.375.~~) If the event is open to
6 the public, it must be sponsored by a society or organization as
7 defined by RCW 66.24.375. If attendance at the event is limited to
8 members or invited guests of the sponsoring individual, society, or
9 organization, the requirement that the sponsor must be a society or
10 organization as defined by RCW 66.24.375 is waived. Cost of the
11 endorsement is three hundred fifty dollars.

12 ((~~a~~)) (b) The holder of this license with catering endorsement
13 shall, if requested by the board, notify the board or its designee of
14 the date, time, place, and location of any catered event. Upon
15 request, the licensee shall provide to the board all necessary or
16 requested information concerning the society or organization that will
17 be holding the function at which the endorsed license will be utilized.

18 (~~(b) If attendance at the function will be limited to members and~~
19 ~~invited guests of the sponsoring society or organization, the~~
20 ~~requirement that the society or organization be within the definition~~
21 ~~of RCW 66.24.375 is waived.~~)

22 **Sec. 2.** RCW 66.24.420 and 1998 c 126 s 6 are each amended to read
23 as follows:

24 (1) The spirits, beer, and wine restaurant license shall be issued
25 in accordance with the following schedule of annual fees:

26 (a) The annual fee for a spirits, beer, and wine restaurant license
27 shall be graduated according to the dedicated dining area and type of
28 service provided as follows:

29	Less than 50% dedicated dining area	\$2,000
30	50% or more dedicated dining area	\$1,600
31	Service bar only	\$1,000

32 (b) The annual fee for the license when issued to any other
33 spirits, beer, and wine restaurant licensee outside of incorporated
34 cities and towns shall be prorated according to the calendar quarters,
35 or portion thereof, during which the licensee is open for business,
36 except in case of suspension or revocation of the license.

1 (c) Where the license shall be issued to any corporation,
2 association or person operating a bona fide restaurant in an airport
3 terminal facility providing service to transient passengers with more
4 than one place where liquor is to be dispensed and sold, such license
5 shall be issued upon the payment of the annual fee, which shall be a
6 master license and shall permit such sale within and from one such
7 place. Such license may be extended to additional places on the
8 premises at the discretion of the board and a duplicate license may be
9 issued for each such additional place: PROVIDED, That the holder of a
10 master license for a restaurant in an airport terminal facility shall
11 be required to maintain in a substantial manner at least one place on
12 the premises for preparing, cooking, and serving of complete meals, and
13 such food service shall be available on request in other licensed
14 places on the premises: PROVIDED, FURTHER, That an additional license
15 fee of twenty-five percent of the annual master license fee shall be
16 required for such duplicate licenses.

17 (d) Where the license shall be issued to any corporation,
18 association, or person operating dining places at a publicly or
19 privately owned civic or convention center with facilities for sports,
20 entertainment, or conventions, or a combination thereof, with more than
21 one place where liquor is to be dispensed and sold, such license shall
22 be issued upon the payment of the annual fee, which shall be a master
23 license and shall permit such sale within and from one such place.
24 Such license may be extended to additional places on the premises at
25 the discretion of the board and a duplicate license may be issued for
26 each such additional place: PROVIDED, That the holder of a master
27 license for a dining place at such a publicly or privately owned civic
28 or convention center shall be required to maintain in a substantial
29 manner at least one place on the premises for preparing, cooking, and
30 serving of complete meals, and food service shall be available on
31 request in other licensed places on the premises: PROVIDED FURTHER,
32 That an additional license fee of ten dollars shall be required for
33 such duplicate licenses.

34 (e) Where the license shall be issued to any corporation,
35 association or person operating more than one building containing
36 dining places at privately owned facilities which are open to the
37 public and where there is a continuity of ownership of all adjacent
38 property, such license shall be issued upon the payment of an annual

1 fee which shall be a master license and shall permit such sale within
2 and from one such place. Such license may be extended to the
3 additional dining places on the property or, in the case of a spirits,
4 beer, and wine restaurant licensed hotel, property owned or controlled
5 by leasehold interest by that hotel for use as a conference or
6 convention center or banquet facility open to the general public for
7 special events in the same metropolitan area, at the discretion of the
8 board and a duplicate license may be issued for each additional place:
9 PROVIDED, That the holder of the master license for the dining place
10 shall not offer alcoholic beverages for sale, service, and consumption
11 at the additional place unless food service is available at both the
12 location of the master license and the duplicate license: PROVIDED
13 FURTHER, That an additional license fee of twenty dollars shall be
14 required for such duplicate licenses.

15 (2) The board, so far as in its judgment is reasonably possible,
16 shall confine spirits, beer, and wine restaurant licenses to the
17 business districts of cities and towns and other communities, and not
18 grant such licenses in residential districts, nor within the immediate
19 vicinity of schools, without being limited in the administration of
20 this subsection to any specific distance requirements.

21 (3) The board shall have discretion to issue spirits, beer, and
22 wine restaurant licenses outside of cities and towns in the state of
23 Washington. The purpose of this subsection is to enable the board, in
24 its discretion, to license in areas outside of cities and towns and
25 other communities, establishments which are operated and maintained
26 primarily for the benefit of tourists, vacationers and travelers, and
27 also golf and country clubs, and common carriers operating dining, club
28 and buffet cars, or boats.

29 (4) The total number of spirits, beer, and wine restaurant licenses
30 issued in the state of Washington by the board, not including spirits,
31 beer, and wine private club licenses, shall not in the aggregate at any
32 time exceed one license for each fifteen hundred of population in the
33 state, determined according to the yearly population determination
34 developed by the office of financial management pursuant to RCW
35 43.62.030.

36 (5) Notwithstanding the provisions of subsection (4) of this
37 section, the board shall refuse a spirits, beer, and wine restaurant

1 license to any applicant if in the opinion of the board the spirits,
2 beer, and wine restaurant licenses already granted for the particular
3 locality are adequate for the reasonable needs of the community.

4 (6)(a) The board may issue a caterer's endorsement to this license
5 to allow the licensee to remove the liquor stocks at the licensed
6 premises, for use as liquor for sale and service at (~~special~~
7 ~~occasion~~) event locations at a specified date and place not currently
8 licensed by the board. (~~The privilege of selling and serving liquor~~
9 ~~under such endorsement is limited to members and guests of a society or~~
10 ~~organization as defined in RCW 66.24.375.~~) If the event is open to
11 the public, it must be sponsored by a society or organization as
12 defined by RCW 66.24.375. If attendance at the event is limited to
13 members or invited guests of the sponsoring individual, society, or
14 organization, the requirement that the sponsor must be a society or
15 organization as defined by RCW 66.24.375 is waived. Cost of the
16 endorsement is three hundred fifty dollars.

17 (~~(a)~~) (b) The holder of this license with catering endorsement
18 shall, if requested by the board, notify the board or its designee of
19 the date, time, place, and location of any catered event. Upon
20 request, the licensee shall provide to the board all necessary or
21 requested information concerning the society or organization that will
22 be holding the function at which the endorsed license will be utilized.

23 (~~(b) If attendance at the function will be limited to members and~~
24 ~~invited guests of the sponsoring society or organization, the~~
25 ~~requirement that the society or organization be within the definition~~
26 ~~of RCW 66.24.375 is waived.~~)

27 **Sec. 3.** RCW 66.24.570 and 2001 c 199 s 5 are each amended to read
28 as follows:

29 (1) There is a license for sports entertainment facilities to be
30 designated as a sports/entertainment facility license to sell beer,
31 wine, and spirits at retail, for consumption upon the premises only,
32 the license to be issued to the entity providing food and beverage
33 service at a sports entertainment facility as defined in this section.
34 The cost of the license is two thousand five hundred dollars per annum.

35 (2) For purposes of this section, a sports entertainment facility
36 includes a publicly or privately owned arena, coliseum, stadium, or

1 facility where sporting events are presented for a price of admission.
2 The facility does not have to be exclusively used for sporting events.

3 (3) The board may impose reasonable requirements upon a licensee
4 under this section, such as requirements for the availability of food
5 and victuals including but not limited to hamburgers, sandwiches,
6 salads, or other snack food. The board may also restrict the type of
7 events at a sports entertainment facility at which beer, wine, and
8 spirits may be served. When imposing conditions for a licensee, the
9 board must consider the seating accommodations, eating facilities, and
10 circulation patterns in such a facility, and other amenities available
11 at a sports entertainment facility.

12 (4)(a) The board may issue a caterer's endorsement to the license
13 under this section to allow the licensee to remove from the liquor
14 stocks at the licensed premises, for use as liquor for sale and service
15 at (~~(special occasion)~~) event locations at a specified date and place
16 not currently licensed by the board. (~~(The privilege of selling and
17 serving liquor under the endorsement is limited to members and guests
18 of a society or organization as defined in RCW 66.24.375.)~~) If the
19 event is open to the public, it must be sponsored by a society or
20 organization as defined by RCW 66.24.375. If attendance at the event
21 is limited to members or invited guests of the sponsoring individual,
22 society, or organization, the requirement that the sponsor must be a
23 society or organization as defined by RCW 66.24.375 is waived. Cost of
24 the endorsement is three hundred fifty dollars.

25 (~~(a)~~) (b) The holder of this license with catering endorsement
26 shall, if requested by the board, notify the board or its designee of
27 the date, time, place, and location of any catered event. Upon
28 request, the licensee shall provide to the board all necessary or
29 requested information concerning the society or organization that will
30 be holding the function at which the endorsed license will be utilized.

31 (~~(b) If attendance at the function will be limited to members and
32 invited guests of the sponsoring society or organization, the
33 requirement that the society or organization be within the definition
34 of RCW 66.24.375 is waived.~~)

35 (5) The board may issue an endorsement to the beer, wine, and
36 spirits sports/entertainment facility license that allows the holder of
37 a beer, wine, and spirits sports/entertainment facility license to sell
38 for off-premises consumption wine vinted and bottled in the state of

1 Washington and carrying a label exclusive to the license holder selling
2 the wine. Spirits and beer may not be sold for off-premises
3 consumption under this section. The annual fee for the endorsement
4 under this (~~chapter [section]~~) section is one hundred twenty dollars.

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