

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1401**

Chapter 148, Laws of 2005

59th Legislature  
2005 Regular Session

**AUTOMATIC SPRINKLERS--NIGHTCLUBS**

EFFECTIVE DATE: 7/24/05

Passed by the House March 9, 2005  
Yeas 96 Nays 0

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate April 8, 2005  
Yeas 44 Nays 3

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Approved April 22, 2005.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1401** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

\_\_\_\_\_  
**Chief Clerk**

FILED

April 22, 2005 - 3:47 p.m.

**Secretary of State  
State of Washington**

---

**ENGROSSED SUBSTITUTE HOUSE BILL 1401**

---

Passed Legislature - 2005 Regular Session

**State of Washington                      59th Legislature                      2005 Regular Session**

**By** House Committee on Local Government (originally sponsored by Representatives Simpson, Hankins, O'Brien, Ormsby and Chase)

READ FIRST TIME 03/01/05.

1            AN ACT Relating to fire safety; adding new sections to chapter  
2 19.27 RCW; and adding a new section to chapter 84.36 RCW.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 19.27 RCW  
5 to read as follows:

6            The building code council shall adopt rules by December 1, 2005,  
7 requiring that all nightclubs be provided with an automatic sprinkler  
8 system. Rules adopted by the council shall consider applicable  
9 nationally recognized fire and building code standards and local  
10 conditions.

11            By December 15, 2005, the council shall transmit to the fire  
12 protection policy board copies of the rules as adopted. The fire  
13 protection policy board shall respond to the council by February 15,  
14 2006. If changes are recommended by the fire protection policy board  
15 the council shall immediately consider those changes to the rules  
16 through its rule-making procedures. The rules shall be effective  
17 December 1, 2007.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 19.27 RCW  
2 to read as follows:

3        As used in this chapter:

4        "Nightclub" means an establishment, other than a theater with fixed  
5 seating, which is characterized by all of the following:

6        (1) Provides live entertainment by paid performing artists or by  
7 way of recorded music conducted by a person employed or engaged to do  
8 so;

9        (2) Has as its primary source of revenue (a) the sale of beverages  
10 of any kind for consumption on the premises, (b) cover charges, or (c)  
11 both; and

12        (3) Has an occupant load of one hundred or more where the occupant  
13 load for any portion of the occupancy is calculated at one person per  
14 ten square feet or less, excluding the entry foyer.

15        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 19.27 RCW  
16 to read as follows:

17        No building shall be constructed for, used for, or converted to,  
18 occupancy as a nightclub except in accordance with this chapter.

19        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 84.36 RCW  
20 to read as follows:

21        (1) Prior to installation of an automatic sprinkler system under  
22 sections 1 through 3 of this act, an owner of property may apply to the  
23 assessor of the county in which the property is located for a special  
24 property tax exemption. This application shall be made upon forms  
25 prescribed by the department of revenue and supplied by the county  
26 assessor.

27        (2) As used in this chapter, "special property tax exemption" means  
28 the determination of the assessed value of the property subtracting,  
29 for ten years, the increase in value attributable to the installation  
30 of an automatic sprinkler system under sections 1 through 3 of this  
31 act.

32        (3) The county assessor shall, for ten consecutive assessment years  
33 following the calendar year in which application is made, place a  
34 special property tax exemption on property classified as eligible.

      Passed by the House March 9, 2005.  
      Passed by the Senate April 8, 2005.  
      Approved by the Governor April 22, 2005.  
      Filed in Office of Secretary of State April 22, 2005.