
SENATE BILL 5167

State of Washington

64th Legislature

2015 Regular Session

By Senator O'Ban

Read first time 01/15/15. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to the local option prohibition on the sale of
2 liquor; and amending RCW 66.08.120 and 66.40.130.

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

4 **Sec. 1.** RCW 66.08.120 and 1933 ex.s. c 62 s 29 are each amended
5 to read as follows:

6 (1) No municipality or county ((shall have)) has the power to
7 license the sale of, or impose an excise tax upon, liquor as defined
8 in this title, or to license the sale or distribution ((thereof)) of
9 liquor in any manner((; and any power now conferred by law on any
10 municipality or county to license premises which may be licensed
11 under this section, or to impose an excise tax upon liquor, or to
12 license the sale and distribution thereof, as defined in this title,
13 shall be suspended and shall be of no further effect: PROVIDED,
14 That)).

15 (2) Notwithstanding subsection (1) of this section,
16 municipalities and counties ((shall)) have the power to:

17 (a) Adopt police ordinances and regulations not in conflict with
18 this title or with the regulations made by the board; and

19 (b) Repeal a local option prohibition on the sale of liquor
20 adopted pursuant to chapter 64.40 RCW, but no earlier than two years
21 after voter approval of the prohibition.

1 **Sec. 2.** RCW 66.40.130 and 2009 c 271 s 10 are each amended to
2 read as follows:

3 (~~Ninety days after December 2, 1948,~~) (1) Spirits, beer, and
4 wine restaurant; spirits, beer, and wine private club; spirits, beer,
5 and wine nightclub; and sports entertainment facility licenses may be
6 issued in any election unit ((in which the sale of liquor is then
7 lawful. No spirits, beer, and wine restaurant; spirits, beer, and
8 wine private club; spirits, beer, and wine nightclub; and sports
9 entertainment facility license shall be issued in any election unit
10 in which)), unless the sale of liquor is forbidden ((as the result
11 of)) pursuant to an election held under RCW 66.40.010, 66.40.020,
12 66.40.040, 66.40.100, 66.40.110, 66.40.120, and 66.40.140((, unless a
13 majority of the qualified electors in such election unit voting upon
14 this initiative at the general election in November, 1948, vote in
15 favor of this initiative, or unless)).

16 (2) A prohibition on the sale of liquor adopted pursuant to an
17 election held under RCW 66.40.010, 66.40.020, 66.40.040, 66.40.100,
18 66.40.110, 66.40.120, and 66.40.140 may be repealed:

19 (a) If, at a subsequent general election in which the question of
20 whether the sale of liquor under spirits, beer, and wine restaurant;
21 spirits, beer, and wine private club; spirits, beer, and wine
22 nightclub; and sports entertainment facility licenses shall be
23 permitted within such unit is submitted to the electorate, as
24 provided in RCW 66.40.030, a majority of the qualified electors
25 voting upon such question vote "for the sale of liquor under spirits,
26 beer, and wine restaurant; spirits, beer, and wine private club;
27 spirits, beer, and wine nightclub; and sports entertainment facility
28 licenses((-))"; or

29 (b) By the legislative authority of the election unit, but no
30 earlier than two years after voter approval of the prohibition.

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