

SHB 1902 - S AMD 229

By Senator Honeyford

WITHDRAWN 04/10/2017

1 On page 3, after line 15, insert the following:

2 "Sec. 2. RCW 66.24.655 and 2013 c 237 s 1 are each amended to
3 read as follows:

4 (1) There is a theater license to sell spirits, beer, including
5 strong beer, or wine, or all, at retail, for consumption on theater
6 premises. A spirits, beer, and wine theater license may be issued
7 ((only)) to theaters ((that have no more than one hundred twenty
8 seats per screen and)) that are maintained in a substantial manner as
9 a place for preparing, cooking, and serving complete meals ((and
10 providing tabletop accommodations for in theater dining)).
11 Requirements for complete meals are the same as those adopted by the
12 board in rules pursuant to chapter 34.05 RCW for a spirits, beer, and
13 wine restaurant license authorized by RCW 66.24.400. The annual fee
14 for a spirits, beer, and wine theater license is two thousand
15 dollars.

16 (2) If the theater premises is to be frequented by minors, an
17 alcohol control plan must be submitted to the board at the time of
18 application. The alcohol control plan must be approved by the board
19 and be prominently posted on the premises, prior to minors being
20 allowed.

21 (3) For the purposes of this section:

22 (a) "Alcohol control plan" means a written, dated, and signed
23 plan submitted to the board by an applicant or licensee for the
24 entire theater premises, or rooms or areas therein, that shows where
25 and when alcohol is permitted, where and when minors are permitted,
26 and the control measures used to ensure that minors are not able to
27 obtain alcohol or be exposed to environments where drinking alcohol
28 predominates.

29 (b) "Theater" means a place of business where motion pictures or
30 other primarily nonparticipatory entertainment are shown.

31 (4) The board must adopt rules regarding alcohol control plans
32 and necessary control measures to ensure that minors are not able to

1 obtain alcohol or be exposed to areas where drinking alcohol
2 predominates. All alcohol control plans must include a requirement
3 that any person involved in the serving of spirits, beer, and/or wine
4 must have completed a mandatory alcohol server training program.

5 (5)(a) A licensee that is an entity that is exempt from taxation
6 under Title 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue
7 code of 1986, as amended as of January 1, 2013, may enter into
8 arrangements with a spirits, beer, or wine manufacturer, importer, or
9 distributor for brand advertising at the theater or promotion of
10 events held at the theater. The financial arrangements providing for
11 the brand advertising or promotion of events may not be used as an
12 inducement to purchase the products of the manufacturer, importer, or
13 distributor entering into the arrangement and such arrangements may
14 not result in the exclusion of brands or products of other companies.

15 (b) The arrangements allowed under this subsection (5) are an
16 exception to arrangements prohibited under RCW 66.28.305. The board
17 must monitor the impacts of these arrangements. The board may conduct
18 audits of a licensee and the affiliated business to determine
19 compliance with this subsection (5). Audits may include, but are not
20 limited to: Product selection at the facility; purchase patterns of
21 the licensee; contracts with the spirits, beer, or wine manufacturer,
22 importer, or distributor; and the amount allocated or used for
23 spirits, beer, or wine advertising by the licensee, affiliated
24 business, manufacturer, importer, or distributor under the
25 arrangements.

26 (6) The maximum penalties prescribed by the board in WAC
27 314-29-020 relating to fines and suspensions are double for
28 violations involving minors or the failure to follow the alcohol
29 control plan with respect to theaters licensed under this section.

30 **Sec. 3.** RCW 66.24.650 and 2013 c 219 s 1 are each amended to
31 read as follows:

32 (1) There is a theater license to sell beer, including strong
33 beer, or wine, or both, at retail, for consumption on theater
34 premises. The annual fee is four hundred dollars for a beer and wine
35 theater license.

36 (2) If the theater premises is to be frequented by minors, an
37 alcohol control plan must be submitted to the board at the time of
38 application. The alcohol control plan must be approved by the board,

1 and be prominently posted on the premises, prior to minors being
2 allowed.

3 (3) For the purposes of this section:

4 (a) "Alcohol control plan" means a written, dated, and signed
5 plan submitted to the board by an applicant or licensee for the
6 entire theater premises, or rooms or areas therein, that shows where
7 and when alcohol is permitted, where and when minors are permitted,
8 and the control measures used to ensure that minors are not able to
9 obtain alcohol or be exposed to environments where drinking alcohol
10 predominates.

11 (b) "Theater" means a place of business where motion pictures or
12 other primarily nonparticipatory entertainment are shown(~~(, and~~
13 ~~includes only theaters with up to four screens))~~).

14 (4) The board must adopt rules regarding alcohol control plans
15 and necessary control measures to ensure that minors are not able to
16 obtain alcohol or be exposed to areas where drinking alcohol
17 predominates. All alcohol control plans must include a requirement
18 that any person involved in the serving of beer and/or wine must have
19 completed a mandatory alcohol server training program.

20 (5)(a) A licensee that is an entity that is exempt from taxation
21 under Title 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue
22 code of 1986, as amended as of January 1, 2013, may enter into
23 arrangements with a beer or wine manufacturer, importer, or
24 distributor for brand advertising at the theater or promotion of
25 events held at the theater. The financial arrangements providing for
26 the brand advertising or promotion of events may not be used as an
27 inducement to purchase the products of the manufacturer, importer, or
28 distributor entering into the arrangement and such arrangements may
29 not result in the exclusion of brands or products of other companies.

30 (b) The arrangements allowed under this subsection (5) are an
31 exception to arrangements prohibited under RCW 66.28.305. The board
32 must monitor the impacts of these arrangements. The board may conduct
33 audits of a licensee and the affiliated business to determine
34 compliance with this subsection (5). Audits may include, but are not
35 limited to: Product selection at the facility; purchase patterns of
36 the licensee; contracts with the beer or wine manufacturer, importer,
37 or distributor; and the amount allocated or used for wine or beer
38 advertising by the licensee, affiliated business, manufacturer,
39 importer, or distributor under the arrangements.

1 (6) The maximum penalties prescribed by the board in WAC
2 314-29-020 relating to fines and suspensions are double for
3 violations involving minors or the failure to follow the alcohol
4 control plan with respect to theaters licensed under this section."

SHB 1902 - S AMD 229

By Senator Honeyford

WITHDRAWN 04/10/2017

5 On page 1, line 1 of the title, after "Relating to" strike the
6 remainder of the title and insert "liquor licenses; and amending RCW
7 66.24.330, 66.24.655, and 66.24.650."

EFFECT: The criteria for the issuance of a spirits, beer, and wine theater license are revised. The theaters may have more than 120 seats per screen and the theaters do not have to provide tabletop accommodations for in-theater dining. The criteria for the issuance of a beer, strong beer, and wine theater license is modified to remove the current limit of four movie screens per theater.

--- END ---