
Commerce & Gaming Committee

HB 2842

Brief Description: Concerning nonprofit special occasion liquor licenses.

Sponsors: Representatives Steele, Boehnke and Chambers.

Brief Summary of Bill

- Requires the Liquor and Cannabis Board (LCB) to issue a warning for violations of requirements for special occasion liquor licensees in certain circumstances, instead of issuing a civil penalty.
- Limits when the LCB may suspend or revoke a special occasion license to when there is a record of repeated violations justifying, from a public safety perspective, prohibiting the licensee from continuing to operate.
- Provides that a former special occasion licensee whose license was revoked may reapply for a license after a period of time set by the LCB not to exceed four years.

Hearing Date: 2/4/20

Staff: Peter Clodfelter (786-7127).

Background:

The special occasion license is a retail liquor license issued by the Liquor and Cannabis Board (LCB) to qualified nonprofit organizations or societies. The license authorizes the nonprofit to sell spirits, beer, and wine by the individual serving for on-premises consumption at a specified event, such as a picnic or other special occasion, at a specified date and place. The fee is \$60 per day. Sales are limited to no more than 12 calendar days per year, with limited exception for a once-per-year extended event by agricultural fairs.

If permission is obtained from the LCB, a special occasion licensee may also: (1) sell spirits, beer, and wine in original unopened containers for off-premises consumption; and (2) sell wine in original, unopened containers for on-premises consumption.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Sale, service, and consumption of spirits, beer, and wine must be confined to specified premises or designated areas only. Liquor sold by a special occasion licensee must be purchased from a licensee of the LCB. A violation of special occasion license requirements is a class 1 civil infraction with a maximum penalty of \$250.

Summary of Bill:

The Liquor and Cannabis Board (LCB) and its enforcement officers must issue a warning for violations of statutory requirements applicable to special occasion licensees when it appears the violation was not intentional or reckless and that issuing a warning and, if appropriate, providing any technical assistance, seems reasonably likely to result in future compliance.

When a violation does not result in a warning, the violation and subsequent violations for which a warning is not provided are punishable as a class 1 civil infraction with a maximum penalty of \$250.

The LCB may not suspend or revoke a special occasion license unless there is a record of repeated violations justifying, from a public safety perspective based on the specific types of violations, prohibiting the licensee from continuing to operate. It is provided that, in the extreme case of license revocation, the former licensee may reapply for a special occasion license after the expiration of a period of time set by the LCB not to exceed four years from the date of license revocation.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.