
HOUSE BILL 1905

State of Washington

66th Legislature

2019 Regular Session

By Representatives Young and Irwin

Read first time 02/05/19. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to authorizing spirits, beer, and wine theater
2 licensees to have one additional screen, but with no more than three
3 hundred seats, at which alcohol may be served under the terms of the
4 license; and amending RCW 66.24.655.

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

6 **Sec. 1.** RCW 66.24.655 and 2013 c 237 s 1 are each amended to
7 read as follows:

8 (1) There is a theater license to sell spirits, beer, including
9 strong beer, or wine, or all, at retail, for consumption on theater
10 premises. Except as otherwise provided in this subsection, a spirits,
11 beer, and wine theater license may be issued ((only)) to theaters
12 that have no more than one hundred twenty seats per screen and that
13 are maintained in a substantial manner as a place for preparing,
14 cooking, and serving complete meals and providing tabletop
15 accommodations for in-theater dining. A theater that otherwise meets
16 the requirements of this section and that serves alcohol to customers
17 at each screen at the theater may have one screen that has more than
18 one hundred twenty seats at which alcohol is served, so long as the
19 screen has no more than three hundred seats and the projection screen
20 is at least two thousand five hundred square feet in size. Nothing in
21 this subsection prohibits a theater that, on the effective date of

1 this section, serves alcohol to customers at each screen at the
2 theater except for one screen with three hundred or fewer seats that
3 is at least two thousand five hundred square feet in size, from
4 converting that one screen to a screen at which alcohol is served.

5 Requirements for complete meals are the same as those adopted by the
6 board in rules pursuant to chapter 34.05 RCW for a spirits, beer, and
7 wine restaurant license authorized by RCW 66.24.400. The annual fee
8 for a spirits, beer, and wine theater license is two thousand
9 dollars.

10 (2) If the theater premises is to be frequented by minors, an
11 alcohol control plan must be submitted to the board at the time of
12 application. The alcohol control plan must be approved by the board
13 and be prominently posted on the premises, prior to minors being
14 allowed.

15 (3) For the purposes of this section:

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

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

25 (4) The board must adopt rules regarding alcohol control plans
26 and necessary control measures to ensure that minors are not able to
27 obtain alcohol or be exposed to areas where drinking alcohol
28 predominates. All alcohol control plans must include a requirement
29 that any person involved in the serving of spirits, beer, and/or wine
30 must have completed a mandatory alcohol server training program.

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

1 (b) The arrangements allowed under this subsection (5) are an
2 exception to arrangements prohibited under RCW 66.28.305. The board
3 must monitor the impacts of these arrangements. The board may conduct
4 audits of a licensee and the affiliated business to determine
5 compliance with this subsection (5). Audits may include, but are not
6 limited to: Product selection at the facility; purchase patterns of
7 the licensee; contracts with the spirits, beer, or wine manufacturer,
8 importer, or distributor; and the amount allocated or used for
9 spirits, beer, or wine advertising by the licensee, affiliated
10 business, manufacturer, importer, or distributor under the
11 arrangements.

12 (6) The maximum penalties prescribed by the board in WAC
13 314-29-020 relating to fines and suspensions are double for
14 violations involving minors or the failure to follow the alcohol
15 control plan with respect to theaters licensed under this section.

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