

FINAL BILL REPORT

HB 2260

C 71 L 24

Synopsis as Enacted

Brief Description: Establishing civil penalties for the unlawful sale or supply of alcohol to minors.

Sponsors: Representatives Waters, Reeves, Leavitt, Kloba and Cheney; by request of Liquor and Cannabis Board.

House Committee on Regulated Substances & Gaming
Senate Committee on Labor & Commerce

Background:

It is unlawful for any person to sell, give, or otherwise supply liquor to any person under 21 years of age or permit any person under that age to consume liquor on their premises or on any premises under their control. Violation of this provision is a gross misdemeanor that is punishable by a fine of not more than \$1,000 or by imprisonment in a county jail for not more than 90 days, or both.

When a liquor licensee or a mandatory alcohol server training permit holder violates a statute or rule of the Liquor and Cannabis Board (LCB), the LCB may issue an administrative violation notice alleging the violation and assess escalating penalties for the severity and frequency of violations. The LCB penalties for violations by liquor licensees or employees are divided by rule into the following five categories:

- public safety violations that are considered the most serious because they present a direct threat to public safety;
- regulatory violations that involve general regulation and administration of retail or nonretail licenses;
- license violations that involve licensing requirements, license classification, and special restrictions;
- nonretail violations that involve the manufacture, supply, or distribution of liquor by nonretail licensees and prohibited practices between a nonretail licensee and a retail licensee; and

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

- public safety violations for sports entertainment facility licenses.

Summary:

The LCB may impose civil penalties on individuals for the sale, gift, or supply of liquor to any person under the age of 21 that occurs from a business licensed by the LCB and by a person working on behalf of the business. The LCB may impose a civil penalty instead of issuing a criminal citation. The monetary penalty that the LCB may impose for violations may not exceed \$200 for the first violation, \$400 for a second violation occurring within three years, and \$500 for a third or subsequent violation occurring within three years. The LCB may develop and offer a class for retail clerks and use this class in lieu of a monetary penalty for the clerk's first violation.

Any civil penalty imposed by the LCB may not be in addition to criminal enforcement and the LCB may not issue a criminal citation in any matter in which it issues a civil penalty. However, the LCB is not restricted in the criminal enforcement in lieu of a civil penalty for:

- continued violations;
- violations involving intentional sales of, or knowingly furnishing, alcohol to a person under 21 years of age; and
- a person that holds an alcohol server permit.

The LCB may initiate legal action to collect civil penalties imposed if they have not been paid within 30 days after imposition.

Votes on Final Passage:

House	97	0
Senate	46	0

Effective: June 6, 2024