
SUBSTITUTE SENATE BILL 6179

State of Washington

68th Legislature

2024 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators MacEwen, Keiser, and Nguyen)

READ FIRST TIME 01/30/24.

1 AN ACT Relating to the use of biometric age verification by
2 liquor licensees; amending RCW 66.20.170; and adding a new section to
3 chapter 66.20 RCW.

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

5 **Sec. 1.** RCW 66.20.170 and 2016 c 235 s 7 are each amended to
6 read as follows:

7 (1) A card of identification may for the purpose of this title
8 and for the purpose of procuring liquor, be accepted (~~as an~~
9 ~~identification card~~) by any licensee (~~and~~) as evidence of legal
10 age of the person presenting such card, provided the licensee
11 complies with the conditions and procedures prescribed herein and
12 such regulations as may be made by the board.

13 (2)(a) A biometric age verification system may for the purpose of
14 this title and for the purpose of procuring liquor, be relied upon by
15 any licensee as evidence of legal age of the person using the
16 biometric age verification system, provided the licensee complies
17 with the conditions and procedures prescribed herein and such
18 regulations as may be made by the board.

19 (b) A biometric age verification system must:

20 (i) Use a biometric system;

1 (ii) Use an electronic authorization process and processes to
2 verify the validity of a card of identification and the identity of
3 the holder of such card of identification;

4 (iii) Verify the person enrolling in the biometric system is the
5 same as the card of identification holder and securely store the
6 relevant data from the card of identification in the biometric
7 system;

8 (iv) Provide an indication that the card of identification holder
9 meets the age eligibility requirement upon future scans of the
10 biometric characteristic used in the biometric system; and

11 (v) Maintain records as established by the board.

12 (c) Use of a biometric age verification system is a mitigating
13 circumstance the board may consider to impose a different penalty
14 than the standard penalties established by the board.

15 (d) The use of a biometric age verification system is optional
16 for a licensee and a person procuring liquor.

17 (3) A licensee may not collect a person's biometric identifiers
18 to be used in a biometric age verification system except with consent
19 from the person. The consent required under this section must be
20 obtained before enrolling in the biometric system. Consumers must be
21 informed of the categories of data that will be collected, including
22 the specific ways in which it will be used.

23 NEW SECTION. Sec. 2. A new section is added to chapter 66.20
24 RCW to read as follows:

25 The definitions in this section apply throughout this chapter
26 unless the context clearly requires otherwise.

27 (1) "Biometric identifier" means data that is generated from the
28 measurement or technological processing of an individual's biological
29 characteristics and that identifies a consumer including, but not
30 limited to, retina or iris scans, scans of face geometry, fingerprint
31 or palmprint mapping, and voiceprints that are used to identify a
32 specific individual. "Biometric identifier" does not include a
33 physical or digital photograph, video or audio recording or data
34 generated therefrom, or information collected, used, or stored for
35 health care treatment, payment, or operations under the federal
36 health insurance portability and accountability act of 1996.

37 (2) "Biometric system" means an automated identification system
38 used to capture, process, and store a biometric identifier, compare

1 the biometric identifier to one or more references, and match the
2 biometric identifier to a specific individual.

3 (3) "Card of identification" means identification issued by any
4 United States state, United States territory, or the District of
5 Columbia, tribal or federal government, as well as any physical
6 identification document issued by a foreign government that contains
7 the holder's photos, date of birth, and signature except on United
8 States federally issued identification where a visible signature is
9 not required.

10 (4) "Consent" means a clear affirmative act that signifies a
11 consumer's freely given, specific, informed, voluntary, and
12 unambiguous agreement, which may include written consent provided by
13 electronic means. "Consent" may not be obtained by:

14 (a) A consumer's acceptance of a general or broad terms of use
15 agreement or a similar document that contains descriptions of
16 personal data processing along with other unrelated information; or

17 (b) A consumer's agreement obtained through the use of deceptive
18 designs.

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