

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5816

Chapter 265, Laws of 2024

68th Legislature
2024 Regular Session

ALCOHOL SERVER PERMITS—DISQUALIFICATION FOR FELONY CONVICTION

EFFECTIVE DATE: June 6, 2024

Passed by the Senate February 9, 2024
Yeas 49 Nays 0

DENNY HECK

President of the Senate

Passed by the House March 1, 2024
Yeas 96 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Approved March 26, 2024 9:32 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5816** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

March 27, 2024

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5816

Passed Legislature - 2024 Regular Session

State of Washington

68th Legislature

2024 Regular Session

By Senators Van De Wege, Trudeau, Mullet, and Nguyen

Prefiled 12/08/23. Read first time 01/08/24. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to alcohol server permits; and amending RCW
2 66.20.310.

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

4 **Sec. 1.** RCW 66.20.310 and 2023 c 279 s 3 are each amended to
5 read as follows:

6 (1)(a) There is an alcohol server permit, known as a class 12
7 permit, for:

8 (i) A manager;

9 (ii) A bartender selling or mixing alcohol, spirits, wines, or
10 beer for consumption at an on-premises licensed facility; or

11 (iii) An employee conducting alcohol deliveries for a licensee
12 that delivers alcohol under RCW 66.24.710.

13 (b) There is an alcohol server permit, known as a class 13
14 permit, for a person who only serves alcohol, spirits, wines, or beer
15 for consumption at an on-premises licensed facility.

16 (c) As provided by rule by the board, a class 13 permit holder
17 may be allowed to act as a bartender without holding a class 12
18 permit.

19 (2)(a) Effective January 1, 1997, except as provided in (d) of
20 this subsection, every alcohol server employed, under contract or

1 otherwise, at a retail licensed premise must be issued a class 12 or
2 class 13 permit.

3 (b) Every class 12 and class 13 permit issued must be issued in
4 the name of the applicant and no other person may use the permit of
5 another permit holder. The holder must present the permit upon
6 request to inspection by a representative of the board or a peace
7 officer. The class 12 or class 13 permit is valid for employment at
8 any retail licensed premises described in (a) of this subsection.

9 (c) Except as provided in (d) of this subsection, no licensee
10 holding a license as authorized by this section and RCW 66.20.300,
11 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, 66.24.690,
12 66.24.450, 66.24.570, 66.24.600, 66.24.610, 66.24.650, 66.24.655, and
13 66.24.680 may employ or accept the services of any person without the
14 person first having a valid class 12 or class 13 permit.

15 (d) Within sixty days of initial employment, every person whose
16 duties include the compounding, sale, service, or handling of liquor
17 must have a class 12 or class 13 permit.

18 (e) No person may perform duties that include the sale or service
19 of alcoholic beverages on a retail licensed premises without
20 possessing a valid alcohol server permit.

21 (f) Every person whose duties include the delivery of alcohol
22 authorized under RCW 66.24.710 must have a class 12 permit before
23 engaging in alcohol delivery. A delivery employee whose duties
24 include the delivery of alcohol authorized under RCW 66.24.710 must
25 complete an approved class 12 permit course that includes a
26 curriculum component that covers best practices for delivery of
27 alcohol.

28 (3) A permit issued by a training entity under this section is
29 valid for employment at any retail licensed premises described in
30 subsection (2)(a) of this section for a period of five years unless
31 suspended by the board.

32 (4) The board may suspend or revoke an existing permit if any of
33 the following occur:

34 (a) The applicant or permittee has been convicted of violating
35 any of the state or local intoxicating liquor laws of this state
36 (~~(e)~~), has been convicted at any time of a felony under chapter
37 9A.40, 9A.44, 9A.46, 9A.86, or 9A.88 RCW, or a felony that is
38 directly related to alcohol service; or

39 (b) The permittee has performed or permitted any act that
40 constitutes a violation of this title or of any rule of the board.

1 (5) The suspension or revocation of a permit under this section
2 does not relieve a licensee from responsibility for any act of the
3 employee or agent while employed upon the retail licensed premises.
4 The board may, as appropriate, revoke or suspend either the permit of
5 the employee who committed the violation or the license of the
6 licensee upon whose premises the violation occurred, or both the
7 permit and the license.

8 (6) (a) After January 1, 1997, it is a violation of this title for
9 any retail licensee or agent of a retail licensee as described in
10 subsection (2) (a) of this section to employ in the sale or service of
11 alcoholic beverages, any person who does not have a valid alcohol
12 server permit or whose permit has been revoked, suspended, or denied.

13 (b) It is a violation of this title for a person whose alcohol
14 server permit has been denied, suspended, or revoked to accept
15 employment in the sale or service of alcoholic beverages.

16 (7) Grocery stores licensed under RCW 66.24.360, the primary
17 commercial activity of which is the sale of grocery products and for
18 which the sale and service of beer and wine for on-premises
19 consumption with food is incidental to the primary business, and
20 employees of such establishments, are exempt from RCW 66.20.300
21 through 66.20.350, except for employees whose duties include serving
22 during tasting activities under RCW 66.24.363.

Passed by the Senate February 9, 2024.

Passed by the House March 1, 2024.

Approved by the Governor March 26, 2024.

Filed in Office of Secretary of State March 27, 2024.

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