

RCW 49.46.360 Adult entertainment establishments—Age restrictions—Fees—Tips—Notice of reason for termination—Enforcement—Definitions. (Effective January 1, 2025.)

(1) No adult entertainment establishment may allow any person under the age of 18 on the premises. If an establishment serves alcohol, the establishment may not allow any person under the age of 21 on the premises. This includes, but is not limited to, any employee, entertainer, contractor, or customer.

(2) Any leasing fee or other fee charged by an establishment to an entertainer must:

- (a) Apply equally to all entertainers in a given establishment;
- (b) Be stated in a written contract; and
- (c) Continue to apply for a period of not less than three months with effective dates.

(3) An establishment may not charge an entertainer:

- (a) Any fees or interest for late payment or nonpayment of any fee;
- (b) A fee for failure to appear at a scheduled time;
- (c) Any fees or interest that result in the entertainer carrying forward an unpaid balance from any previously incurred leasing fee;
- (d) Any leasing fee in an amount greater than the entertainer receives during the applicable period of access to or usage of the establishment premises; or
- (e) (i) Within an eight-hour period, any leasing fee that exceeds:
 - (A) The lesser of \$150 or 30 percent of amounts collected by the entertainer, excluding amounts collected for adult entertainment provided in a private performance area; and
 - (B) 30 percent of amounts collected by the entertainer for adult entertainment provided in a private performance area.(ii) If an establishment charges an entertainer a leasing fee, the contract must include a method for estimating the total amount collected by the entertainer in any eight-hour period for the purposes of this subsection [(3)](e).

(4) This section does not prevent an establishment from providing leasing discounts or credits to encourage scheduling or charge leasing fees that vary based on the time of day.

(5) All establishments must display signage in areas designated for entertainers that entertainers are not required to surrender any tips or gratuities and an establishment may not take adverse action against an entertainer in response to the entertainer's use or collection of tips or gratuities.

(6) No establishment may refuse to provide an entertainer with written notice of the reason or reasons for any termination or refusal to rehire the entertainer. Such notice must be provided within 10 business days of the termination or refusal to rehire the entertainer.

(7) The department may enforce subsections (2) through (6) of this section under the provisions of this chapter and any applicable rules. Any amounts owed to an entertainer under this section may be enforced as a wage payment requirement under RCW 49.48.082. Any other violation may be enforced as an administrative violation under this chapter and any applicable rules. The department must share information regarding violations of this section with the liquor and cannabis board.

(8) The department may adopt rules to implement this chapter.

(9) The department must adjust the dollar amount in subsection (3) (e) of this section every two years, beginning January 1, 2027,

based upon changes in the consumer price index during that time period.

(10) For purposes of this section:

(a) "Adult entertainment" has the same meaning as in RCW 49.17.470.

(b) "Adult entertainment establishment" or "establishment" has the same meaning as in RCW 49.17.470.

(c) "Entertainer" means any person who provides adult entertainment within an adult entertainment establishment, whether or not a fee is charged or accepted for entertainment and whether or not the person is an employee under RCW 49.46.010.

(d) "Leasing fee" means a fee, charge, or other request for money from an entertainer by an establishment in exchange for the entertainer's access or use of the establishment premises or for allowing an entertainer to conduct entertainment on the premises.
[2024 c 250 s 2.]

Effective date—2024 c 250 ss 1 and 2: See note following RCW 49.17.470.

Rule repeal—2024 c 250: See note following RCW 66.24.720.