
SENATE BILL 6298

State of Washington

53rd Legislature

1994 Regular Session

By Senators Moore, Prentice and Newhouse; by request of Liquor Control Board

Read first time 01/19/94. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to the improvement of the licensing and enforcement
2 sections of the Washington State Liquor Act; and amending RCW
3 66.20.200, 66.24.350, 66.24.490, 66.28.070, 66.28.140, 66.44.300, and
4 66.44.310.

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

6 **Sec. 1.** RCW 66.20.200 and 1987 c 101 s 4 are each amended to read
7 as follows:

8 It shall be unlawful for the owner of a card of identification to
9 transfer the card to any other person for the purpose of aiding such
10 person to procure alcoholic beverages from any licensee or store
11 employee. Any person who shall permit his or her card of
12 identification to be used by another or transfer such card to another
13 for the purpose of aiding such transferee to obtain alcoholic beverages
14 from a licensee or store employee or gain admission to a premises or
15 portion of a premises classified by the board as off-limits to persons
16 under twenty-one years of age, shall be guilty of a misdemeanor
17 punishable as provided by RCW 9A.20.021, except that a minimum fine of
18 two hundred fifty dollars shall be imposed and any sentence requiring
19 community service shall require not fewer than twenty-five hours of

1 such service. Any person not entitled thereto who unlawfully procures
2 or has issued or transferred to him or her a card of identification,
3 and any person who possesses a card of identification not issued to him
4 or her, and any person who makes any false statement on any
5 certification card required by RCW 66.20.190, as now or hereafter
6 amended, to be signed by him or her, shall be guilty of a misdemeanor
7 punishable as provided by RCW 9A.20.021, except that a minimum fine of
8 two hundred fifty dollars shall be imposed and any sentence requiring
9 community service shall require not fewer than twenty-five hours of
10 such service.

11 **Sec. 2.** RCW 66.24.350 and 1991 c 42 s 3 are each amended to read
12 as follows:

13 There shall be a beer retailer's license to be designated as [a]
14 class D license to sell beer by the (~~opened~~) bottle at retail, for
15 consumption upon the premises only, such license to be issued to
16 hotels, restaurants, dining places on boats and aeroplanes, clubs, drug
17 stores, or soda fountains, and such other places where the sale of beer
18 is not the principal business conducted; fee one hundred twenty-five
19 dollars per annum.

20 **Sec. 3.** RCW 66.24.490 and 1987 c 386 s 6 are each amended to read
21 as follows:

22 (1) There shall be a retailer's license to be designated as a class
23 I caterer's license; this shall be a special occasion license to be
24 issued to the holder of a class A, C, D, or public H license to extend
25 the privilege of selling and serving (~~spirituous~~) liquor (~~by the~~
26 ~~individual glass, beer, and wine,~~) as authorized under such a license
27 at retail, for consumption on the premises, to members and guests of a
28 society or organization on special occasions at a specified date and
29 place when such special occasions of such groups are held on premises
30 other than the (~~class H~~) licensed premises and for consumption on the
31 premises of such outside location. The holder of such special occasion
32 license shall be allowed to remove from the liquor stocks at the
33 licensed (~~class H~~) premises, and allow liquor for sale and service at
34 such special occasion locations. (~~Such special class I license shall~~
35 ~~be issued for a specified date and place and~~) Upon payment of a fee of
36 twenty-five dollars per day or, upon proper application to the liquor
37 control board, an annual class I license may be issued to the holder of

1 a class A, C, D, or public H license upon payment of a fee of three
2 hundred fifty dollars.

3 (2) The holder of (~~(an annual)~~) a class I license shall (~~(obtain~~
4 ~~prior board approval for each event at which the class I license will~~
5 ~~be utilized. When applying for such board approval)~~), if requested by
6 the board, notify the board or its designee of the date, time, place,
7 and location of any catered event. Upon request the class I licensee
8 shall provide to the board all necessary or requested information
9 concerning the society or organization which will be holding the
10 function at which the class I license will be utilized.

11 (3) (~~(Upon receipt of a request for utilization of a class I~~
12 ~~license at a particular time and place, the board shall give~~
13 ~~notification of the pending request to the chief executive officer of~~
14 ~~the incorporated city or town, if the function is to be held within an~~
15 ~~incorporated city or town, or to the county legislative authority if~~
16 ~~the function is to be held outside the boundaries of incorporated~~
17 ~~cities or towns.~~

18 (4)) If attendance at the function(~~(, for which class I license~~
19 ~~utilization approval is requested,)~~) will be open to the general
20 public, (~~(board approval may only be given where)~~) the society or
21 organization sponsoring the function (~~(is)~~) shall be within the
22 definition of "society or organization" in RCW 66.24.375. If
23 attendance at the function will be limited to members and invited
24 guests of the sponsoring society or organization, (~~(board approval may~~
25 ~~be given even though the sponsoring society or organization is not~~
26 ~~within the definition of "society or organization" in RCW 66.24.375.~~

27 (5) ~~Where the applicant for either a daily or annual class I~~
28 ~~license is a class H club licensee, the board shall not issue the class~~
29 ~~I license, or approve the use of a previously issued class I license,~~
30 ~~unless the following requirements are met:~~

31 (a) ~~The gross food sales of the class H club exceed its gross~~
32 ~~liquor sales; and~~

33 (b) ~~The event for which the class I license will be used is hosted~~
34 ~~by a member of the class H licensed club)~~ then the requirement that
35 the society or organization be within the definition of RCW 66.24.375
36 is waived.

37 **Sec. 4.** RCW 66.28.070 and 1987 c 205 s 1 are each amended to read
38 as follows:

1 (1) Except as provided in subsection (2) of this section, it shall
2 be unlawful for any retail beer or wine licensee to purchase beer or
3 wine, except from a duly licensed (~~beer~~) wholesaler or the board, and
4 it shall be unlawful for any brewer, winery, or beer or wine wholesaler
5 to purchase beer or wine, except from a duly licensed beer or wine
6 wholesaler or (~~beer~~) importer.

7 (2) A beer or wine retailer licensee may purchase beer or wine from
8 a government agency which has lawfully seized beer or wine from a
9 licensed beer or wine retailer, or from a board-authorized retailer, or
10 from a licensed retailer which has discontinued business if the
11 wholesaler has refused to accept beer or wine from that retailer for
12 return and refund. Beer and wine purchased under this subsection shall
13 meet the quality standards set by its manufacturer.

14 (3) Special occasion licensees holding either a class G or J
15 license may only purchase beer or wine from a beer or wine retailer
16 duly licensed to sell beer or wine for off-premises consumption, the
17 board, or from a duly licensed beer or wine wholesaler.

18 **Sec. 5.** RCW 66.28.140 and 1981 c 255 s 2 are each amended to read
19 as follows:

20 (1) An adult member of a household may remove family beer or wine
21 from the home for exhibition or use at organized beer or wine tastings
22 or competitions, subject to the following conditions:

23 (a) The quantity removed by a producer for these purposes is
24 limited to a quantity not exceeding one gallon;

25 (b) Family beer or wine is not removed for sale or for the use of
26 any person other than the producer. This subparagraph does not
27 preclude any necessary tasting of the beer or wine when the exhibition
28 or beer or wine tasting includes judging the merits of the wine by
29 judges who have been selected by the organization sponsoring the
30 affair; and

31 (c) When the display contest or judging purpose has been served,
32 any remaining portion of the sample is returned to the family premises
33 from which removed.

34 (2) As used in this section, "family beer or wine" means beer or
35 wine manufactured in the home for consumption therein, and not for
36 sale.

1 **Sec. 6.** RCW 66.44.300 and 1941 c 78 s 1 are each amended to read
2 as follows:

3 Any person who invites a minor into a public place where liquor is
4 sold and treats, gives or purchases liquor for such minor, or permits
5 a minor to treat, give or purchase liquor for ~~((him))~~ the adult; or
6 holds out such minor to be ~~((over the age of))~~ twenty-one years of age
7 or older to the owner or employee of the liquor establishment, a law
8 enforcement officer, or a liquor enforcement officer shall be guilty of
9 a misdemeanor.

10 **Sec. 7.** RCW 66.44.310 and 1981 1st ex.s. c 5 s 24 are each amended
11 to read as follows:

12 (1) Except as otherwise provided by RCW 66.44.316 and 66.44.350, it
13 shall be a misdemeanor~~((τ))~~:

14 (a) To serve or allow to remain ~~((on the premises of any tavern, or~~
15 ~~cocktail lounge portion of any class H licensed premises,))~~ in any area
16 classified by the board as off-limits to any person under the age of
17 twenty-one years;

18 (b) For any person under the age of twenty-one years to enter or
19 remain ~~((on the premises of any tavern, or cocktail lounge portion of~~
20 ~~any public class H licensed premises))~~ in any area classified as off-
21 limits to such a person, but persons under twenty-one years of age may
22 pass through a restricted area in a facility holding a class H club
23 license;

24 (c) For any person under the age of twenty-one years to represent
25 his or her age as being twenty-one or more years for the purpose of
26 purchasing liquor or securing admission to, or remaining ~~((on the~~
27 ~~premises of, any tavern or cocktail lounge portion of any class H~~
28 ~~licensed premises))~~ in any area classified by the board as off-limits
29 to such a person.

30 (2) The Washington state liquor control board shall have the power
31 and it shall be its duty to classify ~~((the various licensees, as~~
32 ~~taverns or otherwise, within the meaning of this title, except bona~~
33 ~~fide restaurants, dining rooms and cafes serving commercial food to the~~
34 ~~public shall not be classified as taverns during the hours such food~~
35 ~~service is made available to the public))~~ licensed premises or portions

1 of licensed premises as off-limits to persons under the age of twenty-
2 one years of age.

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