

2 EHB 1740 - S COMM AMD
3 By Committee on Law & Justice

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 66.44.200 and 1933 ex.s. c 62 s 36 are each amended
8 to read as follows:

9 (1) No person shall sell any liquor to any person apparently under
10 the influence of liquor.

11 (2)(a) No person who is apparently under the influence of liquor to
12 the extent that he or she is intoxicated may purchase or consume liquor
13 on any premises licensed by the board.

14 (b) As used in this section, "intoxicated" means:

15 (i) A temporary impairment of a person's mental or physical
16 faculties as a result of alcoholic beverage use so as to diminish the
17 person's ability to think and act in a manner in which an ordinarily
18 prudent and cautious person, in full possession of his or her faculties
19 and using reasonable care, would act under like circumstances;

20 (ii) The condition of a person who is sufficiently intoxicated to
21 present a danger to himself or herself or others; or

22 (iii) The condition of a person who is in danger of losing
23 consciousness from further ingestion of liquor.

24 (c) A violation of this subsection is a civil infraction punishable
25 by a fine of not more than five hundred dollars.

26 (d) A defendant's intoxication may not be used as a defense in a
27 prosecution under this subsection.

28 (e) Notice of the prohibition against the purchase of liquor in
29 this subsection shall be posted conspicuously in every establishment
30 that sells liquor."

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4 On page 1, line 2 of the title, after "liquor;" strike the
5 remainder of the title and insert "amending RCW 66.44.200; and
6 prescribing penalties."

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