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**SUBSTITUTE SENATE BILL 5302**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** Senate Committee on Commerce & Trade (originally sponsored by Senators Honeyford and Keiser; by request of Liquor Control Board)

READ FIRST TIME 03/05/03.

1       AN ACT Relating to the summary suspension of a liquor license  
2 pending revocation proceedings; and amending RCW 66.08.150.

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

4       **Sec. 1.** RCW 66.08.150 and 1989 c 175 s 122 are each amended to  
5 read as follows:

6       The action, order, or decision of the board as to any denial of an  
7 application for the reissuance of a permit or license or as to any  
8 revocation, suspension, or modification of any permit or license shall  
9 be an adjudicative proceeding and subject to the applicable provisions  
10 of chapter 34.05 RCW.

11       (1) An opportunity for a hearing may be provided an applicant for  
12 the reissuance of a permit or license prior to the disposition of the  
13 application, and if no such opportunity for a prior hearing is provided  
14 then an opportunity for a hearing to reconsider the application must be  
15 provided the applicant.

16       (2) An opportunity for a hearing must be provided a permittee or  
17 licensee prior to a revocation or modification of any permit or license  
18 and, except as provided in subsection (4) of this section, prior to the  
19 suspension of any permit or license.

1 (3) No hearing shall be required until demanded by the applicant,  
2 permittee, or licensee.

3 (4) The board may summarily suspend a license or permit for a  
4 period of up to (~~thirty~~) one hundred eighty days without a prior  
5 hearing if it finds that public health, safety, or welfare imperatively  
6 require emergency action, and incorporates a finding to that effect in  
7 its order; and proceedings for revocation or other action must be  
8 promptly instituted and determined. The board's enforcement division  
9 shall complete a preliminary staff investigation of the violation  
10 before requesting an emergency suspension by the board.

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