

1 **SHB 2352** - H AMD

2 By Representative Sullivan

3 Strike everything after the enacting clause and insert the
4 following:

5 "NEW SECTION. **Sec. 1.** A new section is added to chapter 66.24
6 RCW to read as follows:

7 (1) The board shall require any retail liquor licensee to obtain
8 and maintain, for a period of two years, liquor liability insurance of
9 at least two hundred thousand dollars or a bond of at least two hundred
10 thousand dollars with a surety authorized to conduct a surety business
11 in this state if:

12 (a) The licensee is found through administrative action to have
13 violated RCW 66.44.200, serving liquor to a person apparently under the
14 influence of liquor, two or more times within a two-year period; or

15 (b) A death occurs that is proximately caused by a licensee having
16 served liquor to a person apparently under the influence of liquor.

17 (2) For purposes of this section, "retail liquor licensee" means:

18 (a) Beer and/or wine restaurant license issued under RCW
19 66.24.320;

20 (b) Private club beer and wine license issued under RCW 66.24.452;

21 (c) Public house license issued under RCW 66.24.580;

22 (d) Snack bar license issued under RCW 66.24.350;

23 (e) Spirits, beer, and wine license issued under RCW 66.24.400;

24 (f) Spirits, beer, and wine private club license issued under RCW
25 66.24.450;

26 (g) Tavern license issued under RCW 66.24.330;

27 (h) Sports/entertainment facility license issued under RCW
28 66.24.570; or

29 (i) Microbrewery license issued under RCW 66.24.244, a domestic
30 brewery license issued under RCW 66.24.240, or a domestic winery
31 license issued under RCW 66.24.170, unless the licensee under this
32 subsection (2)(i) does not allow the consumption of liquor on the
33 premises.

34 (3) All licensees subject to the requirements of this section
35 shall supply proof of compliance at the time the license is issued or

1 renewed. Failure to provide proof is grounds for the board to deny
2 issuance or renewal of the license.

3 (4) The board may request that a licensee show proof of liquor
4 liability insurance or bond as required by this section. Failure to
5 provide proof shall be just cause for emergency suspension of the
6 person's license or licenses until proof of insurance or a bond is made
7 to the board.

8 **Sec. 2.** RCW 66.24.120 and 1973 1st ex.s. c 209 s 12 are each
9 amended to read as follows:

10 The board in suspending any license may further provide in the
11 order of suspension that such suspension shall be vacated upon payment
12 to the board by the licensee of a monetary penalty in an amount then
13 fixed by the board, or until proof of insurance is presented to the
14 board as required under section 1 of this act."

EFFECT: Changes the requirement that all retail liquor licensees
must obtain liquor liability insurance to only those retail
licenses who have:

(1) Two or more administrative determinations of over-
service or service in a two year period; or

(2) over-served an individual and a death occurs as a
proximate cause of the over-service.

The required insurance must be maintained for a period of two
years.