
HOUSE BILL 1303

State of Washington

56th Legislature

1999 Regular Session

By Representatives Conway and Clements; by request of Liquor Control Board

Read first time 01/21/1999. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to redefining the criteria and the purchase of
2 spirits for spirits, beer, and wine restaurant licensees; and amending
3 RCW 66.24.410 and 66.24.420.

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

5 **Sec. 1.** RCW 66.24.410 and 1983 c 3 s 164 are each amended to read
6 as follows:

7 (1) "Spirituous liquor," as used in RCW 66.24.400 to 66.24.450,
8 inclusive, means "liquor" as defined in RCW 66.04.010, except "wine"
9 and "beer" sold as such.

10 (2) "Restaurant" as used in RCW 66.24.400 to 66.24.450, inclusive,
11 means an establishment provided with special space and accommodations
12 where, in consideration of payment, food, without lodgings, is
13 habitually furnished to the public, not including drug stores and soda
14 fountains: PROVIDED, That such establishments shall be approved by the
15 board and that the board shall be satisfied that such establishment is
16 maintained in a substantial manner as a place for (~~preparing, cooking~~
17 ~~and~~) serving (~~of~~) complete meals(~~(. The service of only)~~) or fry
18 orders (~~or~~) and such food (~~and victuals~~) as sandwiches, hamburgers,
19 or salads (~~shall not be deemed in compliance with this definition~~)).

1 (3) "Hotel," "clubs," "wine" and "beer" are used in RCW 66.24.400
2 to 66.24.450, inclusive, with the meaning given in chapter 66.04 RCW:
3 PROVIDED, That any such hotel shall be provided with special space and
4 accommodations where, in consideration of payment, food is habitually
5 furnished to the public: PROVIDED FURTHER, That the board shall be
6 satisfied that such hotel is maintained in a substantial manner as a
7 place for (~~preparing, cooking and~~) serving (~~of~~) complete meals(~~(-~~
8 ~~The service of only~~) or fry orders(~~(-)~~) and food such as sandwiches,
9 hamburgers, or salads shall not be deemed in compliance with this
10 definition.

11 **Sec. 2.** RCW 66.24.420 and 1998 c 126 s 6 are each amended to read
12 as follows:

13 (1) The spirits, beer, and wine restaurant license shall be issued
14 in accordance with the following schedule of annual fees:

15 (a) The annual fee for a spirits, beer, and wine restaurant license
16 shall be graduated according to the dedicated dining area and type of
17 service provided as follows:

18	<u>With no dedicated dining required</u>	
19	<u>and persons under 21 years of age</u>	
20	<u>prohibited</u>	\$2,500
21	Less than 50% dedicated dining area	\$2,000
22	50% or more dedicated dining area	\$1,600
23	Service bar only	\$1,000

24 (b) The annual fee for the license when issued to any other
25 spirits, beer, and wine restaurant licensee outside of incorporated
26 cities and towns shall be prorated according to the calendar quarters,
27 or portion thereof, during which the licensee is open for business,
28 except in case of suspension or revocation of the license.

29 (c) Where the license shall be issued to any corporation,
30 association or person operating a bona fide restaurant in an airport
31 terminal facility providing service to transient passengers with more
32 than one place where liquor is to be dispensed and sold, such license
33 shall be issued upon the payment of the annual fee, which shall be a
34 master license and shall permit such sale within and from one such
35 place. Such license may be extended to additional places on the
36 premises at the discretion of the board and a duplicate license may be
37 issued for each such additional place: PROVIDED, That the holder of a

1 master license for a restaurant in an airport terminal facility shall
2 be required to maintain in a substantial manner at least one place on
3 the premises for preparing, cooking, and serving of complete meals, and
4 such food service shall be available on request in other licensed
5 places on the premises: PROVIDED, FURTHER, That an additional license
6 fee of twenty-five percent of the annual master license fee shall be
7 required for such duplicate licenses.

8 (d) Where the license shall be issued to any corporation,
9 association, or person operating dining places at a publicly or
10 privately owned civic or convention center with facilities for sports,
11 entertainment, or conventions, or a combination thereof, with more than
12 one place where liquor is to be dispensed and sold, such license shall
13 be issued upon the payment of the annual fee, which shall be a master
14 license and shall permit such sale within and from one such place.
15 Such license may be extended to additional places on the premises at
16 the discretion of the board and a duplicate license may be issued for
17 each such additional place: PROVIDED, That the holder of a master
18 license for a dining place at such a publicly or privately owned civic
19 or convention center shall be required to maintain in a substantial
20 manner at least one place on the premises for preparing, cooking, and
21 serving of complete meals, and food service shall be available on
22 request in other licensed places on the premises: PROVIDED FURTHER,
23 That an additional license fee of ten dollars shall be required for
24 such duplicate licenses.

25 (e) Where the license shall be issued to any corporation,
26 association or person operating more than one building containing
27 dining places at privately owned facilities which are open to the
28 public and where there is a continuity of ownership of all adjacent
29 property, such license shall be issued upon the payment of an annual
30 fee which shall be a master license and shall permit such sale within
31 and from one such place. Such license may be extended to the
32 additional dining places on the property or, in the case of a spirits,
33 beer, and wine restaurant licensed hotel, property owned or controlled
34 by leasehold interest by that hotel for use as a conference or
35 convention center or banquet facility open to the general public for
36 special events in the same metropolitan area, at the discretion of the
37 board and a duplicate license may be issued for each additional place:
38 PROVIDED, That the holder of the master license for the dining place
39 shall not offer alcoholic beverages for sale, service, and consumption

1 at the additional place unless food service is available at both the
2 location of the master license and the duplicate license: PROVIDED
3 FURTHER, That an additional license fee of twenty dollars shall be
4 required for such duplicate licenses.

5 (2) The board, so far as in its judgment is reasonably possible,
6 shall confine spirits, beer, and wine restaurant licenses to the
7 business districts of cities and towns and other communities, and not
8 grant such licenses in residential districts, nor within the immediate
9 vicinity of schools, without being limited in the administration of
10 this subsection to any specific distance requirements.

11 (3) The board shall have discretion to issue spirits, beer, and
12 wine restaurant licenses outside of cities and towns in the state of
13 Washington. The purpose of this subsection is to enable the board, in
14 its discretion, to license in areas outside of cities and towns and
15 other communities, establishments which are operated and maintained
16 primarily for the benefit of tourists, vacationers and travelers, and
17 also golf and country clubs, and common carriers operating dining, club
18 and buffet cars, or boats.

19 (4) The total number of spirits, beer, and wine restaurant licenses
20 issued in the state of Washington by the board, not including spirits,
21 beer, and wine private club licenses, shall not in the aggregate at any
22 time exceed one license for each fifteen hundred of population in the
23 state, determined according to the yearly population determination
24 developed by the office of financial management pursuant to RCW
25 43.62.030.

26 (5) Notwithstanding the provisions of subsection (4) of this
27 section, the board shall refuse a spirits, beer, and wine restaurant
28 license to any applicant if in the opinion of the board the spirits,
29 beer, and wine restaurant licenses already granted for the particular
30 locality are adequate for the reasonable needs of the community.

31 (6) The board may issue a caterer's endorsement to this license to
32 allow the licensee to remove the liquor stocks at the licensed
33 premises, for use as liquor for sale and service at special occasion
34 locations at a specified date and place not currently licensed by the
35 board. The privilege of selling and serving liquor under such
36 endorsement is limited to members and guests of a society or
37 organization as defined in RCW 66.24.375. Cost of the endorsement is
38 three hundred fifty dollars.

1 (a) The holder of this license with catering endorsement shall, if
2 requested by the board, notify the board or its designee of the date,
3 time, place, and location of any catered event. Upon request, the
4 licensee shall provide to the board all necessary or requested
5 information concerning the society or organization that will be holding
6 the function at which the endorsed license will be utilized.

7 (b) If attendance at the function will be limited to members and
8 invited guests of the sponsoring society or organization, the
9 requirement that the society or organization be within the definition
10 of RCW 66.24.375 is waived.

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