

1 **SB 5604 - H AMD 0178 ADOPTED 4-12-01**

2 By Representative Conway

3
4 Strike everything after the enacting clause and insert the
5 following: **Sec. 1.** RCW 66.44.290 and 1965 c 49 s 1 are each amended
6 to read as follows:

7 (1) Every person under the age of twenty-one years who purchases
8 or attempts to purchase liquor shall be guilty of a violation of this
9 title. This section does not apply to persons between the ages of
10 eighteen and twenty-one years who are participating in a controlled
11 purchase program authorized by the liquor control board under rules
12 adopted by the board. Violations occurring under a private, controlled
13 purchase program authorized by the liquor control board may not be used
14 for criminal or administrative prosecution.

15 (2) An employer who conducts an in-house controlled purchase
16 program authorized under this section shall provide his or her
17 employees a written description of the employer's in-house controlled
18 purchase program. The written description must include notice of
19 actions an employer may take as a consequence of an employee's failure
20 to comply with company policies regarding the sale of alcohol during an
21 in-house controlled purchase.

22 (3) An in-house controlled purchase program authorized under this
23 section shall be for the purposes of employee training and employer
24 self-compliance checks. An employer may not terminate an employee
25 solely for a first-time failure to comply with company policies
26 regarding the sale of alcohol during an in-house controlled purchase
27 program authorized under this section.-

EFFECT: The Liquor Control Board may authorize licensees to conduct in-house self-compliance checks using persons between the ages of 18 and 21 years. The board will not use violations during a controlled purchase using persons between the ages of 18 and 21 years for criminal or administrative prosecution. An employer must provide employees written notice describing his/her in-house controlled purchase program using persons between the ages of 18 and 21 years. Notice must include the consequences of an employee's failure to comply with company policy on the sale of alcohol. An employer may not fire an employee solely for a first-time failure to comply with company policy during a controlled

5604 AMH CONW FORR 42

purchase.