
SUBSTITUTE HOUSE BILL 1496

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Simpson, Roach, P. Sullivan, Quall, McDermott, Santos, Appleton, McCoy, Hunt, Kenney, Kagi and Blake)

READ FIRST TIME 02/15/05.

1 AN ACT Relating to enrollment cards issued by federally recognized
2 Indian tribes; amending RCW 66.16.040 and 70.155.090; adding a new
3 section to chapter 29A.08 RCW; adding a new section to chapter 66.08
4 RCW; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.08 RCW
7 to read as follows:

8 Whenever a Washington state driver's license number, Washington
9 state identification card number, or social security card number is
10 required under this chapter for the purposes of registering to vote and
11 a person does not have either a Washington state driver's license
12 number, Washington state identification card number, or social security
13 number, the person's enrollment card issued by the governing authority
14 of a federally recognized Indian tribe in Washington shall satisfy the
15 requirement.

16 **Sec. 2.** RCW 66.16.040 and 2004 c 61 s 1 are each amended to read
17 as follows:

18 Except as otherwise provided by law, an employee in a state liquor

1 store or agency may sell liquor to any person of legal age to purchase
2 alcoholic beverages and may also sell to holders of permits such liquor
3 as may be purchased under such permits.

4 Where there may be a question of a person's right to purchase
5 liquor by reason of age, such person shall be required to present any
6 one of the following officially issued cards of identification which
7 shows his/her correct age (~~and~~), bears his/her signature and
8 photograph, and has security features required by the board:

9 (1) Liquor control authority card of identification of any state or
10 province of Canada.

11 (2) Driver's license, instruction permit or identification card of
12 any state or province of Canada, or "identocard" issued by the
13 Washington state department of licensing pursuant to RCW 46.20.117.

14 (3) United States armed forces identification card issued to active
15 duty, reserve, and retired personnel and the personnel's dependents,
16 which may include an imbedded, digital signature in lieu of a visible
17 signature.

18 (4) Passport.

19 (5) Merchant Marine identification card issued by the United States
20 Coast Guard.

21 (6) Enrollment card issued by the governing authority of a
22 federally recognized Indian tribe located in Washington.

23 The board may adopt such regulations as it deems proper covering
24 the cards of identification listed in this section.

25 No liquor sold under this section shall be delivered until the
26 purchaser has paid for the liquor in cash, except as allowed under RCW
27 66.16.041. The use of a personal credit card does not rely upon the
28 credit of the state as prohibited by Article VIII, section 5 of the
29 state Constitution.

30 **Sec. 3.** RCW 70.155.090 and 1993 c 507 s 10 are each amended to
31 read as follows:

32 (1) Where there may be a question of a person's right to purchase
33 or obtain tobacco products by reason of age, the retailer, sampler, or
34 agent thereof, shall require the purchaser to present any one of the
35 following officially issued identification that shows the purchaser's
36 age (~~and~~), bears his or her signature and photograph, and has
37 security features required by the board: Liquor control authority card

1 of identification of a state or province of Canada; driver's license,
2 instruction permit, or identification card of a state or province of
3 Canada; "identocard" issued by the Washington state department of
4 licensing under chapter 46.20 RCW; United States military
5 identification; passport; enrollment card issued by the governing
6 authority of a federally recognized Indian tribe located in Washington;
7 or merchant marine identification card issued by the United States
8 coast guard.

9 (2) It is a defense to a prosecution under RCW 26.28.080(~~(+4)~~)
10 that the person making a sale reasonably relied on any of the
11 officially issued identification as defined in subsection (1) of this
12 section. The liquor control board shall waive the suspension or
13 revocation of a license if the licensee clearly establishes that he or
14 she acted in good faith to prevent violations and a violation occurred
15 despite the licensee's exercise of due diligence.

16 NEW SECTION. Sec. 4. A new section is added to chapter 66.08 RCW
17 to read as follows:

18 The liquor control board shall adopt rules requiring security
19 features on all the acceptable forms of identification used to verify
20 a person's age for the purposes of purchasing liquor or tobacco.

21 NEW SECTION. Sec. 5. Section 1 of this act takes effect January
22 1, 2006.

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