

---

HOUSE BILL 1496

---

State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Simpson, Roach, P. Sullivan, Quall, McDermott, Santos, Appleton, McCoy, Hunt, Kenney, Kagi and Blake

Read first time 01/26/2005. Referred to Committee on Judiciary.

1            AN ACT Relating to enrollment cards issued by federally recognized  
2 Indian tribes; amending RCW 29A.08.010, 66.16.040, and 70.155.090;  
3 creating a new section; and providing an effective date.

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

5            **Sec. 1.** RCW 29A.08.010 and 2004 c 267 s 102 are each amended to  
6 read as follows:

7            As used in this chapter: "Information required for voter  
8 registration" means the minimum information provided on a voter  
9 registration application that is required by the county auditor in  
10 order to place a voter registration applicant on the voter registration  
11 rolls. This information includes the applicant's name, complete  
12 residence address, date of birth, Washington state driver's license  
13 number, Washington state identification card, or the last four digits  
14 of the applicant's social security number, a signature attesting to the  
15 truth of the information provided on the application, and a check or  
16 indication in the box confirming the individual is a United States  
17 citizen. If the individual does not have a driver's license, an  
18 enrollment card issued by a federally recognized Indian tribe, or  
19 social security number the registrant must be issued a unique voter

1 registration number and placed on the voter registration rolls. All  
2 other information supplied is ancillary and not to be used as grounds  
3 for not registering an applicant to vote. Modification of the language  
4 of the official Washington state voter registration form by the voter  
5 will not be accepted and will cause the rejection of the registrant's  
6 application.

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

9 Except as otherwise provided by law, an employee in a state liquor  
10 store or agency may sell liquor to any person of legal age to purchase  
11 alcoholic beverages and may also sell to holders of permits such liquor  
12 as may be purchased under such permits.

13 Where there may be a question of a person's right to purchase  
14 liquor by reason of age, such person shall be required to present any  
15 one of the following officially issued cards of identification which  
16 shows his/her correct age and bears his/her signature and photograph:

17 (1) Liquor control authority card of identification of any state or  
18 province of Canada.

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

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

26 (4) Passport.

27 (5) Merchant Marine identification card issued by the United States  
28 Coast Guard.

29 (6) Enrollment card issued by a federally recognized Indian tribe.

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

32 No liquor sold under this section shall be delivered until the  
33 purchaser has paid for the liquor in cash, except as allowed under RCW  
34 66.16.041. The use of a personal credit card does not rely upon the  
35 credit of the state as prohibited by Article VIII, section 5 of the  
36 state Constitution.

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

3       (1) Where there may be a question of a person's right to purchase  
4 or obtain tobacco products by reason of age, the retailer, sampler, or  
5 agent thereof, shall require the purchaser to present any one of the  
6 following officially issued identification that shows the purchaser's  
7 age and bears his or her signature and photograph: Liquor control  
8 authority card of identification of a state or province of Canada;  
9 driver's license, instruction permit, or identification card of a state  
10 or province of Canada; "identocard" issued by the Washington state  
11 department of licensing under chapter 46.20 RCW; United States military  
12 identification; passport; enrollment card issued by a federally  
13 recognized Indian tribe; or merchant marine identification card issued  
14 by the United States coast guard.

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

22       NEW SECTION. **Sec. 4.** The liquor control board shall adopt rules  
23 designating an enrollment card issued by a federally recognized Indian  
24 tribe as acceptable identification for the purpose of purchasing  
25 alcoholic beverages.

26       NEW SECTION. **Sec. 5.** Section 1 of this act takes effect January  
27 1, 2006.

--- END ---