

SENATE BILL REPORT

SB 5541

As of February 14, 2007

Title: An act relating to bouncers.

Brief Description: Concerning bouncers.

Sponsors: Senators Kohl-Welles, Keiser, Franklin and Kline.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 2/13/07.

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Staff: Sherry McNamara (786-7402)

Background: Bouncers are employed by a business to maintain order and eject disorderly persons. In this role they serve as security guards at establishments that serve alcohol. Currently, bouncers are not subject to the training and background check requirements that apply to all other security guards.

According to the Labor Market and Economic Analysis Unit (LMEA) of the Employment Security Department, there were an estimated 400 individuals listed as "security guards" employed in the "Drinking places, alcoholic beverages" industry in 2004.

Summary of Bill: The bill as referred to committee not considered.

Summary of Proposed Substitute (Labor, Commerce, Research & Development):

Bouncers are included in the definition of private security guard and are subject to the Department of Licensing requirements for security guards. Bouncers will be required to submit to fingerprint based criminal background checks and to participate in 16 hours of training. Eight hours of training is required pre-employment and eight hours is required after being employed. Individuals who commit violent sex crimes are not eligible to serve as bouncers.

Bouncers will be governed by the Uniform Regulation of Business and Professions Act.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff Summary of Public Testimony: PRO: In a survey of four sexual assault programs there were a reported ten sexual assault incidents that involved a bouncer. Two of the victims of the ten incidents filed criminal charges. Sexual predators like to be where there are vulnerable people. This includes being where people have been drinking alcoholic beverages. It is important to require a background check on individuals who want to be bouncers.

CON: Requiring bouncers to be licensed will decrease the number of individuals available to be employed and will increase the cost of doing business. Businesses will be required to hire a bouncer through an external company. The Seattle Police Department offers an excellent five hour training program. This bill raises a concern about requiring managers, bartenders and wait staff with similar duties to be licensed as bouncers. The bill also requires bouncers be employed in establishments that have liquor licenses; there are concert venues that employ bouncers who would not need to be licensed. The bill is not necessary.

Persons Testifying: PRO: Lonnie Johns-Brown, Washington Coalition of Sexual Assault Programs.

CON: Michael Transue, Washington Restaurant Association; Pete Hanning, Red Door.