

**SB 5859 - DIGEST**

(SUBSTITUTED FOR - SEE 2ND SUB)

Designates a license as a spirits, beer, and wine nightlife license, which allows the holder to sell spirituous liquor by the drink, beer, and wine at retail, for consumption upon the licensed premises.

Provides that the license may be issued only to persons whose business includes the sale and service of alcohol to its customers, has food sales and service incidental to the sale and service of alcohol, and has the following characteristics: (1) The primary business hours are between nine o'clock in the evening and two o'clock in the morning; and

(2) The occupancy load of the business premises is greater than the seating provided.

Requires that a licensee must maintain minimum food service as determined by the board at all times when alcohol is available.

Allows minors on the licensed premises but only in the areas where no alcohol is served.

Sets the annual fee for the license as two thousand dollars, which may be reviewed periodically by the board and adjusted to reflect a change in the amount of resources necessary to regulate and enforce this license type.

Directs the board to refuse a spirits, beer, and wine nightlife license to any applicant if the board determines that the spirits, beer, and wine nightlife licenses already granted for the particular locality are adequate for the reasonable needs of the community.

Directs the board to set aside in a separate account in the liquor revolving fund an amount equal to ten percent of its gross sales of liquor to spirits, beer, and wine nightlife.

Declares that there may be held a separate election upon the question of whether the sale of liquor under spirits, beer, and wine nightlife facility licenses, shall be permitted within such unit.

Provides that toxicological services shall be funded by disbursement from the spirits, beer, and wine nightlife entertainment facility license fees under RCW 66.08.180 and by appropriation from the death investigations account under RCW 43.79.445.