

HOUSE BILL REPORT

HB 2179

As Passed House:
February 11, 2012

Title: An act relating to objections to liquor licenses by local governments.

Brief Description: Concerning objections to liquor licenses by local governments.

Sponsors: Representatives Morris, Lytton and Kenney.

Brief History:

Committee Activity:

Local Government: 1/17/12, 1/27/12 [DP].

Floor Activity:

Passed House: 2/11/12, 92-0.

Brief Summary of Bill

- Changes the city or town entity that receives notice of liquor license applications and that has the right to object to applications from the "chief executive officer" to the "legislative authority."

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 9 members: Representatives Takko, Chair; Fitzgibbon, Vice Chair; Angel, Ranking Minority Member; Asay, Assistant Ranking Minority Member; Rodne, Smith, Springer, Tharinger and Upthegrove.

Staff: Kelly Pfundheller (786-7289).

Background:

The Liquor Control Board (Board) issues multiple types of liquor licenses, including winery, microbrewery, grocery store, restaurant, and nightclub licenses. Prior to issuing any type of new or renewal license, the Board must notify the chief executive officer of the city or town in which the applicant seeking a license is located. The city or town, through the official or employee selected by it, has the right to file a written objection to the issuance of a new or

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renewal license. When filing a written objection, the city or town may request that the Board hold a discretionary hearing to review the license application.

When an applicant is located in an unincorporated area, the Board must notify the county legislative authority of the application. The county legislative authority, or the official or employee selected by it, may object to the issuance of a new or renewal license and request a hearing.

Summary of Bill:

The city or town entity that receives notice of liquor licenses is changed from the "chief executive officer" to the "legislative authority."

Prior to issuing any type of new or renewal license, the Board must notify the legislative authority of the city or town in which the applicant seeking a license is located. The legislative authority of the city or town, or the official or employee selected by it, may file a written objection and request a hearing.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill addresses the negative issues that arise when the authority to object to liquor licenses rests solely with a city's mayor or city manager. That single person can have a large impact on small businesses. Liquor license applications are reviewed by local governments due to public safety concerns, which is a matter of public policy. The process should therefore be more democratic. By shifting the authority to city councils, it will involve the community and council members in a necessary policy discussion.

(Opposed) This bill is unnecessary. A city council is currently permitted to direct the chief executive officer to bring liquor license applications for review before the council. Each city should make the decision about what process works best for their community, and we should maintain this flexibility.

Persons Testifying: (In support) Representative Morris, prime sponsor.

(Opposed) Candice Bock, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying: None.