

SENATE BILL REPORT

HB 1465

As of March 9, 2011

Title: An act relating to conditions and restrictions for liquor licenses.

Brief Description: Modifying conditions and restrictions for liquor licenses.

Sponsors: Representatives Hunt, Taylor, McCoy, Appleton, Condotta, Miloscia and Dunshee;
by request of Liquor Control Board.

Brief History: Passed House: 2/26/11, 97-0.

Committee Activity: Labor, Commerce & Consumer Protection: 3/08/11.

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Staff: Edith Rice (786-7444)

Background: The Liquor Control Board (Board) issues multiple types of licenses, including winery, microbrewery, grocery store, restaurant, and nightclub licenses. In certain circumstances, the Board may impose conditions or restrictions on a license. For example, some grocery stores have a restricted license allowing the sale of only beer and table wine, and not strong beer (more than 8 percent alcohol by weight) or fortified wine. All conditions and restrictions the Board imposes must be listed on the face of the license along with the trade name, address, and expiration date of the license. A licensee must post its license in a conspicuous place on the premises.

A spirits, beer, and wine restaurant license allows the sale of spirits by the drink, beer, and wine. To qualify as a restaurant, an establishment must be approved by the Board and must be maintained in a substantial manner as a place for preparing, cooking, and serving of complete meals. Fry orders and such food as sandwiches, hamburgers, or salads do not constitute complete meals.

A nightclub license also allows the sale of spirits by the drink, beer, and wine. A nightclub is an establishment that provides entertainment and has as its primary source of revenue the sale of alcohol, cover charges, or both, and has an occupancy load of 100 or more persons. Local governments may request the Board impose restrictions on a nightclub license.

Summary of Bill: Conditions and restrictions imposed by the Board are no longer required to be listed on the face of the license and may be included in official correspondence. Any

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additional correspondence with conditions and restrictions must be posted on the premises in addition to the license.

The specification that fry orders, and such food as sandwiches, hamburgers, or salads do not constitute complete meals for purposes of qualifying as a restaurant is removed. Instead, the Board must determine requirements for complete meals in rule.

The 100 persons or more occupancy load requirement to qualify for a nightclub license is removed.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This bill provides the Liquor Control Board with needed flexibility and removes restrictions affecting restaurants. Current law excluded some businesses from the nightclub license because of capacity issues. We would like two amendments to incorporate SB 5711 and SB 5709 into this bill. This bill impacts small businesses and we support it.

Persons Testifying: PRO: Representative Hunt, prime sponsor; Alan Rathbun, Liquor Control Board; TK Bentler, Heather McClung, WA Brewers Guild.