

SENATE BILL REPORT

SB 6060

As Reported by Senate Committee On:
Labor, Commerce & Consumer Protection, January 31, 2012

Title: An act relating to allowing day spas to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises.

Brief Description: Allowing day spas to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises.

Sponsors: Senators Keiser, King, Kline, Honeyford, Kohl-Welles, Schoesler and Holmquist Newbry.

Brief History:

Committee Activity: Labor, Commerce & Consumer Protection: 1/16/12, 1/31/12 [DPS].

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Majority Report: That Substitute Senate Bill No. 6060 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; King, Assistant Ranking Minority Member; Keiser and Kline.

Staff: Edith Rice (786-7444)

Background: An entity serving alcohol for on-premises consumption must obtain the appropriate license to do so from the Liquor Control Board (LCB). There are specific exemptions allowing an entity to serve alcohol without charge and without a license or permit from the LCB. Currently, wedding boutiques and art galleries may offer a complimentary glass of beer or wine to customers who are at least 21 years of age for on-premises consumption. The wine or beer served must have been purchased from a licensed retailer or a Washington State liquor store at full retail price. The wedding boutiques and art galleries cannot sell beer or wine and cannot advertise that they offer complimentary beer or wine. Employees who serve the beer or wine must complete an LCB approved limited alcohol server training program. Art galleries are rooms or buildings devoted to the exhibition and/or sale of art. Wedding boutiques are businesses primarily engaged in the sale of wedding merchandise.

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.

Summary of Bill (Recommended Substitute): Day spas are permitted to offer a complimentary glass of beer or wine to customers who are at least 21 years of age, in the same manner as art galleries and wedding boutiques. However, if the day spa provides massages, the beer or wine cannot be offered to the customer until the massage is completed. A day spa is defined as a business that offers at least three of the following beauty services: shampooing, cutting, styling or dyeing hair, manicures, pedicures, facials, massages, and the use of body toning equipment. Employees who serve the beer or wine must complete an LCB approved limited alcohol server training program. Day spas are required to purchase a permit from the LCB in order to serve a glass of beer or wine to customers without charge. The annual fee for the day spa permit is \$125.

EFFECT OF CHANGES MADE BY LABOR, COMMERCE & CONSUMER PROTECTION COMMITTEE (Recommended Substitute): A day spa permit is created. Day spas are required to purchase a permit from the LCB in order to serve a glass of beer or wine to customers without charge. The annual fee for the day spa permit is \$125.

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 on Original Bill: PRO: This is intended to allow those spas that provide a variety of services to serve a glass of wine or beer. There is no current license that salons can get that allows them to do this legally.

CON: This normalizes social drinking behavior in public settings. We are trying to prevent people from drinking and driving. This is inconsistent with that message.

OTHER: We would propose that day spas obtain a permit to do this rather than be excepted from the law.

Persons Testifying: PRO: Senator Keiser, prime sponsor; Daniel Keane, Selenza Salon and Spa.

CON: Seth Dawson.

OTHER: Alan Rathbun, LCB.