

# SENATE BILL REPORT

## SB 5045

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As Reported by Senate Committee On:  
Commerce & Labor, February 18, 2013

**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, Honeyford, Kohl-Welles and Frockt.

**Brief History:**

**Committee Activity:** Commerce & Labor: 2/11/13, 2/18/13 [DPS, DNP].

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### SENATE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** That Substitute Senate Bill No. 5045 be substituted therefor, and the substitute bill do pass.

Signed by Senators Braun, Vice Chair; Conway, Ranking Member; Hasegawa, Hewitt, Keiser and King.

**Minority Report:** Do not pass.

Signed by Senator Holmquist Newbry, Chair.

**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 or sale of art. Wedding boutiques are businesses primarily engaged in the sale of wedding merchandise.

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*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):** A day spa permit is created which permits a day spa to serve a glass of beer or wine to a customer without charge. The permit fee for a day spa permit is \$125 per year.

Day spas are permitted to offer a complimentary glass of beer or wine to customers who are at least 21 years of age. A day spa is defined as a business that offers at least three of the following types of beauty services: hair care, nail care, skin care, massages, and the use of body toning equipment.

**EFFECT OF CHANGES MADE BY COMMERCE & LABOR COMMITTEE (Recommended Substitute):** Section 1 of the bill is removed. The requirement that wine or beer not be offered until after a massage is removed. A day spa is defined as a business which offers at least three of the listed types of beauty services: hair care, nail care, skin care, massages, or body toning equipment.

**Appropriation:** None.

**Fiscal Note:** Available.

[OFM requested ten-year cost projection pursuant to I-960.]

**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:** CON: We are concerned that people will be drinking and leaving the spa. This is a public safety issue.

OTHER: We would like to see a permit issued only.

**Persons Testifying:** CON: Mary Ellen de la Pena, WA Assn. of Substance Abuse and Violence Prevention.

OTHER: Karen McCall, LCB.