

SENATE BILL REPORT

SSB 5045

As Passed Senate, April 15, 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: Senate Committee on Commerce & Labor (originally sponsored by Senators Keiser, Honeyford, Kohl-Welles and Frockt).

Brief History:

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

Passed Senate: 3/08/13, 42-7.

Passed House: 4/15/13, 82-13.

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

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

Summary of Substitute Bill: 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.

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.

House Amendment(s): The annual fee of \$125 can be adjusted in the future by the Legislature in the Omnibus Operating Appropriations Act. The glass of beer offered may not exceed 12 ounces and the glass of wine offered may not exceed 6 ounces. Nail care is deleted as one of the three types of beauty services a day spa may offer to qualify as a day spa.