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**SUBSTITUTE HOUSE BILL 2680**

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**State of Washington**

**63rd Legislature**

**2014 Regular Session**

**By** House Government Accountability & Oversight (originally sponsored by Representatives Springer, Haler, Goodman, and Freeman)

READ FIRST TIME 02/05/14.

1       AN ACT Relating to liquor catering; amending RCW 66.44.350;  
2       reenacting and amending RCW 66.20.300 and 66.20.310; and adding a new  
3       section to chapter 66.24 RCW.

4       BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       NEW SECTION.   **Sec. 1.** A new section is added to chapter 66.24 RCW  
6       to read as follows:

7       (1) There shall be a caterer's license to sell spirits, beer, and  
8       wine, by the individual serving, at retail, for consumption on the  
9       premises at an event location that is either owned, leased, or operated  
10      either by the caterer or the sponsor of the event for which catering  
11      services are being provided. If the event is open to the public, it  
12      must be sponsored by a society or organization as defined in RCW  
13      66.24.375. If attendance at the event is limited to members or invited  
14      guests of the sponsoring individual, society, or organization, the  
15      requirement that the sponsor must be a society or organization as  
16      defined in RCW 66.24.375 is waived. The licensee must serve food as  
17      required by rules of the board.

18      (2) The annual fee is two hundred dollars for the beer license, two

1 hundred dollars for the wine license, or four hundred dollars for a  
2 combination beer and wine license. The annual fee for a combined beer,  
3 wine, and spirits license is one thousand dollars.

4 (3) The holder of this license shall, if requested by the board,  
5 notify the board or its designee of the date, time, place, and location  
6 of any catered event at which liquor will be served. Upon request, the  
7 licensee shall provide to the board all necessary or requested  
8 information concerning the individual, society, or organization that  
9 will be holding the catered function at which the caterer's liquor  
10 license will be utilized.

11 (4) The holder of this license may, under conditions established by  
12 the board, store liquor on other premises operated by the licensee so  
13 long as the other premises are owned or controlled by a leasehold  
14 interest by that licensee.

15 (5) The holder of this license is prohibited from catering events  
16 at locations that are already licensed to sell liquor under this  
17 chapter.

18 **Sec. 2.** RCW 66.20.300 and 2013 c 237 s 2 and 2013 c 219 s 2 are  
19 each reenacted and amended to read as follows:

20 The definitions in this section apply throughout RCW 66.20.310  
21 through 66.20.350 unless the context clearly requires otherwise.

22 (1) "Alcohol" has the same meaning as "liquor" in RCW 66.04.010.

23 (2) "Alcohol server" means any person who as part of his or her  
24 employment participates in the sale or service of alcoholic beverages  
25 for on-premise consumption at a retail licensed premise as a regular  
26 requirement of his or her employment, and includes those persons  
27 eighteen years of age or older permitted by the liquor laws of this  
28 state to serve alcoholic beverages with meals.

29 (3) "Board" means the Washington state liquor control board.

30 (4) "Retail licensed premises" means any:

31 (a) Premises licensed to sell alcohol by the glass or by the drink,  
32 or in original containers primarily for consumption on the premises as  
33 authorized by this section and RCW 66.20.310, 66.24.320, 66.24.330,  
34 66.24.350, 66.24.400, 66.24.425, section 1 of this act, 66.24.450,  
35 66.24.570, 66.24.610, 66.24.650, and 66.24.655;

36 (b) Distillery licensed pursuant to RCW 66.24.140 that is  
37 authorized to serve samples of its own production;

1 (c) Facility established by a domestic winery for serving and  
2 selling wine pursuant to RCW 66.24.170(4); and

3 (d) Grocery store licensed under RCW 66.24.360, but only with  
4 respect to employees whose duties include serving during tasting  
5 activities under RCW 66.24.363.

6 (5) "Training entity" means any liquor licensee associations,  
7 independent contractors, private persons, and private or public  
8 schools, that have been certified by the board.

9 **Sec. 3.** RCW 66.20.310 and 2013 c 237 s 3 and 2013 c 219 s 3 are  
10 each reenacted and amended to read as follows:

11 (1)(a) There is an alcohol server permit, known as a class 12  
12 permit, for a manager or bartender selling or mixing alcohol, spirits,  
13 wines, or beer for consumption at an on-premises licensed facility.

14 (b) There is an alcohol server permit, known as a class 13 permit,  
15 for a person who only serves alcohol, spirits, wines, or beer for  
16 consumption at an on-premises licensed facility.

17 (c) As provided by rule by the board, a class 13 permit holder may  
18 be allowed to act as a bartender without holding a class 12 permit.

19 (2)(a) Effective January 1, 1997, except as provided in (d) of this  
20 subsection, every alcohol server employed, under contract or otherwise,  
21 at a retail licensed premise must be issued a class 12 or class 13  
22 permit.

23 (b) Every class 12 and class 13 permit issued must be issued in the  
24 name of the applicant and no other person may use the permit of another  
25 permit holder. The holder must present the permit upon request to  
26 inspection by a representative of the board or a peace officer. The  
27 class 12 or class 13 permit is valid for employment at any retail  
28 licensed premises described in (a) of this subsection.

29 (c) Except as provided in (d) of this subsection, no licensee  
30 holding a license as authorized by this section and RCW 66.20.300,  
31 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, section 1 of  
32 this act, 66.24.450, 66.24.570, 66.24.600, 66.24.610, 66.24.650, and  
33 66.24.655 may employ or accept the services of any person without the  
34 person first having a valid class 12 or class 13 permit.

35 (d) Within sixty days of initial employment, every person whose  
36 duties include the compounding, sale, service, or handling of liquor  
37 must have a class 12 or class 13 permit.

1 (e) No person may perform duties that include the sale or service  
2 of alcoholic beverages on a retail licensed premises without possessing  
3 a valid alcohol server permit.

4 (3) A permit issued by a training entity under this section is  
5 valid for employment at any retail licensed premises described in  
6 subsection (2)(a) of this section for a period of five years unless  
7 suspended by the board.

8 (4) The board may suspend or revoke an existing permit if any of  
9 the following occur:

10 (a) The applicant or permittee has been convicted of violating any  
11 of the state or local intoxicating liquor laws of this state or has  
12 been convicted at any time of a felony; or

13 (b) The permittee has performed or permitted any act that  
14 constitutes a violation of this title or of any rule of the board.

15 (5) The suspension or revocation of a permit under this section  
16 does not relieve a licensee from responsibility for any act of the  
17 employee or agent while employed upon the retail licensed premises.  
18 The board may, as appropriate, revoke or suspend either the permit of  
19 the employee who committed the violation or the license of the licensee  
20 upon whose premises the violation occurred, or both the permit and the  
21 license.

22 (6)(a) After January 1, 1997, it is a violation of this title for  
23 any retail licensee or agent of a retail licensee as described in  
24 subsection (2)(a) of this section to employ in the sale or service of  
25 alcoholic beverages, any person who does not have a valid alcohol  
26 server permit or whose permit has been revoked, suspended, or denied.

27 (b) It is a violation of this title for a person whose alcohol  
28 server permit has been denied, suspended, or revoked to accept  
29 employment in the sale or service of alcoholic beverages.

30 (7) Grocery stores licensed under RCW 66.24.360, the primary  
31 commercial activity of which is the sale of grocery products and for  
32 which the sale and service of beer and wine for on-premises consumption  
33 with food is incidental to the primary business, and employees of such  
34 establishments, are exempt from RCW 66.20.300 through 66.20.350, except  
35 for employees whose duties include serving during tasting activities  
36 under RCW 66.24.363.

1       **Sec. 4.** RCW 66.44.350 and 1999 c 281 s 12 are each amended to read  
2 as follows:

3       Notwithstanding provisions of RCW 66.44.310, employees holding beer  
4 and/or wine restaurant; beer and/or wine private club; snack bar;  
5 spirits, beer, and wine restaurant; spirits, beer, and wine private  
6 club; catering; and sports entertainment facility licenses who are  
7 licensees eighteen years of age and over may take orders for, serve,  
8 and sell liquor in any part of the licensed premises except cocktail  
9 lounges, bars, or other areas classified by the Washington state liquor  
10 control board as off-limits to persons under twenty-one years of age:  
11 PROVIDED, That such employees may enter such restricted areas to  
12 perform work assignments including picking up liquor for service in  
13 other parts of the licensed premises, performing clean up work, setting  
14 up and arranging tables, delivering supplies, delivering messages,  
15 serving food, and seating patrons: PROVIDED FURTHER, That such  
16 employees shall remain in the areas off-limits to minors no longer than  
17 is necessary to carry out their aforementioned duties: PROVIDED  
18 FURTHER, That such employees shall not be permitted to perform  
19 activities or functions of a bartender.

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