

# HOUSE BILL REPORT

## ESB 5504

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### As Reported by House Committee On: Commerce & Gaming

**Title:** An act relating to allowing additional liquor distributor employees to stock liquor under certain circumstances.

**Brief Description:** Allowing additional liquor distributor employees to stock liquor under certain circumstances.

**Sponsors:** Senators Hewitt and Hasegawa.

#### **Brief History:**

##### **Committee Activity:**

Commerce & Gaming: 3/17/15, 3/23/15 [DP].

#### **Brief Summary of Engrossed Bill**

- Permits 18- to 21-year-old employees of alcoholic beverage distributors, wholesalers, and manufacturers to handle alcoholic products on both retail and nonretail premises.

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### HOUSE COMMITTEE ON COMMERCE & GAMING

**Majority Report:** Do pass. Signed by 8 members: Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake, Kirby, Scott and Vick.

**Minority Report:** Do not pass. Signed by 1 member: Representative Van De Wege.

**Staff:** David Rubenstein (786-7153).

#### **Background:**

Possession, consumption, or acquisition of alcohol is generally prohibited for minors under the age of 21. Certain exceptions have been authorized for employees between the ages of 18 and 21 who work for liquor licensees permitted to sell alcoholic beverages at retail (sometimes called retail-class licensees). Employees of nonretail-class liquor licensees

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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.*

(including distributors, wholesalers, and manufacturers acting as distributors) who are at least 18 years old may handle beer and wine on the nonretail premises if a person at least 21 years old supervises.

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**Summary of Bill:**

Employees of a nonretail-class licensee who are between 18 and 21 years old may handle any kind of liquor on nonretail premises if supervised by an adult who is at least 21 years old.

On retail premises, minor employees of nonretail-class licensees may handle liquor if there is an employee of the retail licensee who is at least 21 years old on the premises at the time of the activity. This exception applies only between the hours of 4 a.m. and 11 p.m. and is limited to these circumstances, except where otherwise allowed by law.

If a nonretail-class licensee's employee violates the law while on retail premises, the violation is the responsibility of the nonretail-class licensee. However, a retail licensee and its employees must still comply with the law.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill is the same as a House bill that did not move off the floor, except that it includes a limitation on the hours during which youth can handle alcohol. Individuals between 18 and 21 years old can already serve alcohol in restaurants, sell it in retail establishments, and even stock liquor on distributor premises, but they cannot stock liquor on retail premises. This bill addresses that unique prohibition. Others have expressed concern that this may lead to theft of liquor by youth, but there have been no reports of thefts so far.

(Opposed) The committee should consider whether this bill increases youth access to alcohol, whether it normalizes the consumption of alcohol in the eyes of youth, and whether it dims the bright line between drinking and driving. If drinking and driving is a difficult distinction for adults, it is more so for youth. Please also consider whether this bill adds to the temptation for the young employees and their friends.

**Persons Testifying:** (In support) Scott Hazlegrove, Washington Beer & Wine Distributors Association.

(Opposed) Seth Dawson, Washington Association for Substance Abuse Prevention.

**Persons Signed In To Testify But Not Testifying:** None.