

# SENATE BILL REPORT

## SHB 1564

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As Reported by Senate Committee On:  
Commerce & Labor, March 25, 2015

**Title:** An act relating to the local option prohibition on the sale of liquor.

**Brief Description:** Concerning the local option prohibition on the sale of liquor.

**Sponsors:** House Committee on Commerce & Gaming (originally sponsored by Representatives Kilduff and Muri).

**Brief History:** Passed House: 3/10/15, 65-33.

**Committee Activity:** Commerce & Labor: 3/20/15, 3/25/15 [DP].

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### SENATE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass.

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

**Staff:** Richard Rodger (786-7461)

**Background:** In 1934, after the repeal of prohibition, the Legislature enacted the Washington State Liquor Act. The act includes provisions allowing incorporated cities, towns, and unincorporated areas of counties to hold an election on the question of whether the sale of liquor should be permitted.

In 1975 the city of Fircrest held an election on whether to prohibit businesses from selling liquor by the drink. The prohibition was adopted and all sales were terminated 90 days later. The only statutory method to repeal a prohibition is by another vote at a general election. Subsequent to the enactment of the prohibition the city of Fircrest annexed additional areas into the town. Under state law, such annexed areas are not subject to the city's existing prohibition.

A question has arisen on whether the failure of a current vote to repeal the prohibition would have the effect of expanding the prohibition to the annexed area.

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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:** The original election unit that voted for a ban on alcohol may vote to repeal the ban. Any area annexed after the original vote to ban alcohol is not subject to a prohibition in the subsequent election.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: There is currently a two-track system for businesses operating in the city of Fircrest – those businesses who are prohibited from selling liquor by the drink, and those businesses who were annexed into the city at a later date who may sell liquor by the drink. This bill allows the voters to consider whether they still want the prohibition in effect for the businesses who cannot sell liquor by the drink.

**Persons Testifying:** PRO: Representative Kilduff, prime sponsor.

**Persons Signed in to Testify But Not Testifying:** PRO: Jason Medley, Hunter George, Fircrest City Council.