

# SENATE BILL REPORT

## ESB 5504

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As Passed Senate, March 4, 2015

**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 & Labor: 1/30/15, 2/04/15 [DP, w/oRec].

Passed Senate: 3/04/15, 46-3.

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### SENATE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass.

Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

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

**Background:** Minors are prohibited from consuming or possessing alcohol and restricted from working or entering areas where alcohol is served. There are several employment exceptions to these restrictions. For example minors age 18 to 21 may be on an otherwise off-limit location when they are employed as: (1) professional musicians; (2) janitorial staff; (3) police officers and firefighters who are on the premises in the line of duty; and (4) licensed servers handling and selling alcohol in restaurants, snack bars, and private clubs, but not in bars, cocktail lounges, or other areas established as off-limits by the Liquor Control Board. These exceptions do not specifically require supervision by adults age 21 or older.

In other circumstances, minors must be supervised when they work with alcohol. Minors age 18 to 21 who are employees of grocery stores or wine and beer specialty shops may sell and handle beer or wine, but an adult aged 21 or older must supervise all sales of alcohol on the premises.

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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.*

Minors age 18 to 21 who are employees of nonretail licensees – wholesalers, manufacturers, breweries, and wineries – may stock, merchandise, and handle beer and wine for their employer but only on and around the nonretail premises, and only when supervised by an adult age 21 or older.

**Summary of Engrossed Bill:** Employees of a nonretail liquor licensee, age 18 to 21, are generally prohibited from handling, transporting, or possessing liquor. An exception is provided for the minors to stock, merchandise, or handle any liquor while: (1) working at the nonretail business if they are supervised by an adult age 21 or older; or (2) working at a retail licensee's premises, except between the hours of 11:00 p.m. and 4:00 a.m., when an adult, employed by the retail licensee, is present at the premises while the work is being performed.

Acts or omissions in violation of the state liquor laws by a nonretail liquor licensee's employee, occurring on the premises of the retail licensee, is the responsibility of the nonretail employer. Retail licensee employers are still responsible for any violations by their own employees.

**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: Minors 18 to 21 are currently allowed to work with beer and wine while employed, with supervision, by grocery stores, specialty shops, wholesalers, manufacturers, breweries, and wineries. We are asking for the same authority to hire minors to perform the same duties with other liquors, with similar supervision requirements. We have safeguards against theft and a no-tolerance policy toward that activity by employees.

CON: Our concern is with the exposure and access of alcohol to minors.

**Persons Testifying:** PRO: Bill Stauffacher, WA Beer and Wine Distributors Assn.

CON: Derek Franklin, WA Assn. for Substance Abuse and Violence Prevention, President.