
SENATE BILL 5229

State of Washington

65th Legislature

2017 Regular Session

By Senators Honeyford, Keiser, King, Conway, Chase, and Saldaña

Read first time 01/18/17. Referred to Committee on Commerce, Labor & Sports.

1 AN ACT Relating to authorizing theaters with more than four
2 screens to obtain a license to sell beer and wine; and amending RCW
3 66.24.650.

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

5 **Sec. 1.** RCW 66.24.650 and 2013 c 219 s 1 are each amended to
6 read as follows:

7 (1) There is a theater license to sell beer, including strong
8 beer, or wine, or both, at retail, for consumption on theater
9 premises. The annual fee is four hundred dollars for a beer and wine
10 theater license.

11 (2) If the theater premises is to be frequented by minors, an
12 alcohol control plan must be submitted to the board at the time of
13 application. The alcohol control plan must be approved by the board,
14 and be prominently posted on the premises, prior to minors being
15 allowed.

16 (3) For the purposes of this section:

17 (a) "Alcohol control plan" means a written, dated, and signed
18 plan submitted to the board by an applicant or licensee for the
19 entire theater premises, or rooms or areas therein, that shows where
20 and when alcohol is permitted, where and when minors are permitted,
21 and the control measures used to ensure that minors are not able to

1 obtain alcohol or be exposed to environments where drinking alcohol
2 predominates.

3 (b) "Theater" means a place of business where motion pictures or
4 other primarily nonparticipatory entertainment are shown(~~(, and~~
5 ~~includes only theaters with up to four screens)~~).

6 (4) The board must adopt rules regarding alcohol control plans
7 and necessary control measures to ensure that minors are not able to
8 obtain alcohol or be exposed to areas where drinking alcohol
9 predominates. All alcohol control plans must include a requirement
10 that any person involved in the serving of beer and/or wine must have
11 completed a mandatory alcohol server training program.

12 (5)(a) A licensee that is an entity that is exempt from taxation
13 under Title 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue
14 code of 1986, as amended as of January 1, 2013, may enter into
15 arrangements with a beer or wine manufacturer, importer, or
16 distributor for brand advertising at the theater or promotion of
17 events held at the theater. The financial arrangements providing for
18 the brand advertising or promotion of events may not be used as an
19 inducement to purchase the products of the manufacturer, importer, or
20 distributor entering into the arrangement and such arrangements may
21 not result in the exclusion of brands or products of other companies.

22 (b) The arrangements allowed under this subsection (5) are an
23 exception to arrangements prohibited under RCW 66.28.305. The board
24 must monitor the impacts of these arrangements. The board may conduct
25 audits of a licensee and the affiliated business to determine
26 compliance with this subsection (5). Audits may include, but are not
27 limited to: Product selection at the facility; purchase patterns of
28 the licensee; contracts with the beer or wine manufacturer, importer,
29 or distributor; and the amount allocated or used for wine or beer
30 advertising by the licensee, affiliated business, manufacturer,
31 importer, or distributor under the arrangements.

32 (6) The maximum penalties prescribed by the board in WAC
33 314-29-020 relating to fines and suspensions are double for
34 violations involving minors or the failure to follow the alcohol
35 control plan with respect to theaters licensed under this section.

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