

HOUSE BILL REPORT

HB 1730

As Passed Legislature

Title: An act relating to allowing youth ages 18 and older to work in establishments traditionally classified as off-limits to persons under the age of 21 in certain specific and limited circumstances.

Brief Description: Allowing people 18 years of age or older to work in certain 21 year and older establishments.

Sponsors: Representatives Waters, Stonier, Klicker, Low, Couture, Chambers, Ybarra, Barnard, Schmidt, Street, McClintock, Walen, Hutchins, Caldier and Cheney.

Brief History:

Committee Activity:

Regulated Substances & Gaming: 2/9/23, 2/14/23 [DP].

Floor Activity:

Passed House: 3/8/23, 84-13.

Passed Senate: 4/7/23, 44-4.

Passed Legislature.

Brief Summary of Bill

- Allows all liquor licensees to have employees that are between the ages of 18 and 21 to be present in the licensed facility under certain circumstances and to perform limited job duties that do not include the the sale or service of alcohol.

HOUSE COMMITTEE ON REGULATED SUBSTANCES & GAMING

Majority Report: Do pass. Signed by 9 members: Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Cheney, Reeves, Walsh and Waters.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 2 members: Representatives Morgan and Orwall.

Staff: Matt Sterling (786-7289).

Background:

The Liquor and Cannabis Board (LCB) has the responsibility to classify licensed liquor premises or portions of such premises as off-limits to persons under the age of 21 years and it is generally a misdemeanor for any person under 21 years old to enter or remain in any such areas.

Individuals who are 18 years and older may be in age-restricted liquor establishments during the course of their employment as:

- professional musicians, professional disc jockeys, or professional sound or lighting technicians supporting musicians or disc jockeys;
- janitorial employees;
- amusement device company employees who are installing, maintaining, repairing, or removing any coin-operated video games, pinball machines, juke boxes, or other similar devices; and
- security and law enforcement officers and firefighters in the course of their official duties and only if they are not the direct employees of the licensee.

Employees who are at least 18 years old and work for a facility with a license as: (1) a beer and/or wine restaurant or private club; (2) a snack bar; (3) a spirits, beer, and wine restaurant or private club; (4) catering; or (5) a sports entertainment facility are permitted to enter restricted areas. Employees of these licensees that are under 21 years of age must remain in the restricted areas no longer than is necessary to carry out their duties and are not permitted to perform activities or functions of a bartender. Such employees may:

- take orders for, serve, and sell liquor in any part of the licensed premises except cocktail lounges, bars, or other age-restricted areas; and
- enter restricted areas to perform work assignments including picking up liquor for service in other areas of the premises, performing clean up work, setting up and arranging tables, delivering supplies, delivering messages, serving food, and seating patrons.

During the COVID-19 pandemic until September 30, 2022, the LCB allowed all age-restricted liquor establishments to hire individuals 18 years and older for limited job duties if the licensee ensured that any employee who is under 21 years of age:

- held a position like washing dishes, cooking, or cleaning that was not directly involved in the sale or service of alcohol;
- did not perform work in the bar, lounge, or dining areas;
- did not serve food, drinks, or interact with guests;
- was not in possession of alcohol during any time; and

- was supervised by a person who is at least 21 years of age at all times.

Summary of Bill:

Individuals that are at least 18 years of age may be employed by any liquor licensee to perform services unrelated to the sale or service of alcohol in the course of their employment as a dishwasher, cook, chef, sanitation specialist, or other kitchen staff, but the individual:

- may not perform any work in the bar, lounge, or dining area of the licensed premises;
- may not serve food, drinks, or otherwise interact with the patrons of the licensee;
- may never be in possession of, or consume alcohol at any time; and
- must have a supervisor who is at least 21 years of age and is present at all times that the individual is working.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony:

(In support) For restaurant and pub owners, particularly in tourist areas, we are experiencing a significant workforce shortage. There has been a nationwide workforce shortage, but the hospitality industry has been hit particularly hard. The workforce kind of disappeared after the COVID-19 pandemic and every bar and restaurant is now hiring. We were able to continue operating our bar during the COVID-19 pandemic because of the work by our employees who were under 21 years of age. The provisions provided by the Liquor and Cannabis Board to temporarily hire staff under 21 years of age were very helpful. These under 21-year-old workers are some of the hardest working staff and can help keep our businesses open. It would be very detrimental for us if this bill does not pass because we would struggle to fill our positions. This bill would bring the 21 and over establishments in line with other family friendly establishments that serve alcohol. Without this bill, anyone that is 18 to 21 years old can work in the back of the house at a restaurant, but they cannot work in a bar that is operated very similarly. We already know these employees can work safely in these environments under the supervision of someone who is 21 years or older. We worked to make sure this bill protected these workers and made sure they are not in the front of the bar or tavern. We want these employees in the back of the establishment and not around patrons and alcohol. Working as a young person in a restaurant is a great experience and this bill creates a positive situation for both employers and young workers who are looking for more opportunities.

(Opposed) None.

Persons Testifying: Representative Kevin Waters, prime sponsor; Riley Smith, Washington Hospitality Association; and Nicole Andres.

Persons Signed In To Testify But Not Testifying: None.