

HOUSE BILL REPORT

ESB 5816

As Passed House:

March 1, 2024

Title: An act relating to alcohol server permits.

Brief Description: Concerning alcohol server permits.

Sponsors: Senators Van De Wege, Trudeau, Mullet and Nguyen.

Brief History:

Committee Activity:

Regulated Substances & Gaming: 2/15/24, 2/20/24 [DP].

Floor Activity:

Passed House: 3/1/24, 96-0.

Brief Summary of Engrossed Bill

- Modifies the authority of the Liquor and Cannabis Board to suspend or revoke an alcohol server permit of an applicant or permittee for specified felony convictions, rather than any felony.

HOUSE COMMITTEE ON REGULATED SUBSTANCES & GAMING

Majority Report: Do pass. Signed by 10 members: Representatives Kloba, Co-Chair; Wylie, Co-Chair; Stearns, Vice Chair; Chambers, Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Caldier, Cheney, Orwall, Reeves and Waters.

Staff: Matt Sterling (786-7289).

Background:

The Liquor and Cannabis Board (LCB) licenses and regulates the service of alcohol in Washington. In addition to licensing the premises of an establishment serving or selling

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alcohol, the LCB requires server permits for any individual to serve alcohol. It is unlawful for any licensee to employ any person who does not have a valid alcohol server permit or whose permit has been revoked, suspended, or denied in the sale or service of alcoholic beverages. The two classes of alcohol server permits are:

- a class 12 permit for:
 - a manager;
 - a bartender selling or mixing alcohol, spirits, wines, or beer for consumption at an on-premises licensed facility; or
 - an employee conducting alcohol deliveries for a licensee that delivers alcohol; and
- a class 13 permit for a person who only serves alcohol, spirits, wines, or beer for consumption at an on-premises licensed facility.

The LCB may suspend or revoke an existing alcohol server permit, and deny an application for a permit, if the applicant or permittee has:

- been convicted of any felony;
- been convicted of violating any of the state or local liquor laws of Washington; or
- performed or permitted any act that constitutes a violation of any rule of the LCB.

It is unlawful for a person whose alcohol server permit has been denied, suspended, or revoked to accept employment in the sale or service of alcoholic beverages.

Summary of Bill:

The LCB may suspend or revoke an existing alcohol server permit if the applicant or permittee has been convicted of certain specified felonies or a felony directly related to alcohol service, rather than for any felony conviction. In addition to felony convictions related to alcohol service, the LCB may suspend or revoke an alcohol server permit for the following felony convictions by an applicant or permittee:

- kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, or coercion of involuntary servitude;
- sex offenses that include:
 - rape;
 - child molestation;
 - sexual misconduct with a minor in the first degree;
 - indecent liberties with a person;
 - sexually violating human remains;
 - voyeurism in the first degree;
 - knowingly failing to register as a sex offender for a felony sex offense;
 - custodial sexual misconduct; or
 - criminal trespass against children;
- harassment, if the person:
 - has previously been convicted of any crime of harassment of the same victim or members of the victim's family or household or any person specifically named

- in a no-contact or no-harassment order;
- harasses another person by threatening to kill the person threatened or any other person;
- harasses a criminal justice participant:
 - who is performing official duties at the time the threat is made; or
 - because of an action taken or decision made by the criminal justice participant during the performance of his or her official duties;
- stalking, if the person:
 - has previously been convicted in this state or any other state of any crime of harassment;
 - violates any protective order protecting the victim;
 - has previously been convicted of a gross misdemeanor or felony stalking offense for stalking another person;
 - was armed with a deadly weapon while stalking the victim;
 - stalked a person who is or was a protected person specified by law to retaliate for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or
 - stalked a current, former, or prospective witness in an adjudicative proceeding to retaliate against the victim as a result of the victim's testimony or potential testimony;
- disclosing intimate images if the person has committed multiple offenses;
- indecent exposure if the person has previously been convicted of indecent exposure or of certain sex offenses; or
- promoting prostitution.

Appropriation: None.

Fiscal Note: Available.

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) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.