

SENATE BILL REPORT

HB 1730

As Passed Senate, April 7, 2023

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

Committee Activity: Labor & Commerce: 3/20/23, 3/21/23 [DP, DNP].

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

Brief Summary of Bill

- Permits a liquor licensee to employ an individual who is at least 18 years old, allowing the individual to perform services unrelated to the sale or service of alcohol, under certain conditions.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun, MacEwen, Robinson and Schoesler.

Minority Report: Do not pass.

Signed by Senator Stanford.

Staff: Matt Shepard-Koningsor (786-7627)

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.

Background: The Liquor and Cannabis Board (LCB) must classify licensed liquor premises or portions of such premises as off-limits to individuals under 21 years old, and it is generally a misdemeanor for any person under 21 years old to enter and remain in any such areas.

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

- professional musicians, disc jockeys, or sound or lighting technicians supporting professional musicians or disc jockeys;
- janitorial employees when the establishment is closed;
- 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 an establishment with a license as a beer and/or wine restaurant or private club; snack bar; spirits, beer, and wine restaurant or private club; caterer; and sports entertainment facility may take orders for, sell, and serve liquor in any part the licensed premises except cocktail lounges, bars, or other areas classified by LCB as off-limits to individuals under 21 years old. However, the employees may enter these restricted areas to perform specified work assignments such as picking up liquor for service in other parts of the premises, setting up and arranging tables, serving food, and seating customers, but must not remain in these restricted areas longer than necessary to perform their duties and must not perform the activities of a bartender.

During the COVID-19 pandemic and until September 30, 2022, LCB allowed age-restricted liquor establishments to hire individuals who were between the ages of 18 and 20 for limited job duties if the licensee ensured that any employee who was under 21 years old:

- 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 at any time; and
- was supervised by a person who was at least 21 years old at all times.

LCB temporarily relaxed its enforcement practices regarding the prohibition of minors being present in age-restricted establishments under the specific, limited circumstances above.

Summary of Bill: An individual who is at least 18 years old may be employed by a liquor licensee to perform services unrelated to the sale or service of alcohol but only during and in the course of their employment as a dishwasher, cook, chef, sanitation specialist, or other kitchen staff and only under the following conditions:

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

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: We are seeing a huge drop in bar and tavern employment because the temporary allowance to hire 18-20-year-olds expired. This is a workforce issue and this bill will help address the issue. This bill brings 21+ establishments in line with other family-friendly establishments that serve alcohol. We already know 18-20-year-olds can work safely in the back of a restaurant safely under the supervision of someone 21 or older. This bill is a win-win for the operators and individuals under 21 looking for employment opportunities.

OTHER: LCB was available to answer questions.

Persons Testifying: PRO: Representative Kevin Waters, Prime Sponsor; Riley Smith, Washington Hospitality Association; Nicole Andres, Nicole's Bar.

OTHER: Marc Webster, Liquor and Cannabis Board.

Persons Signed In To Testify But Not Testifying: No one.