
HOUSE BILL 1977

State of Washington

69th Legislature

2025 Regular Session

By Representative Donaghy

Read first time 02/14/25. Referred to Committee on Consumer Protection & Business.

1 AN ACT Relating to the indemnification of commercial servers of
2 liquor; and amending RCW 66.44.200.

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

4 **Sec. 1.** RCW 66.44.200 and 1998 c 259 s 1 are each amended to
5 read as follows:

6 (1) No person shall sell any liquor to any person apparently
7 under the influence of liquor.

8 (2)(a) No person who is apparently under the influence of liquor
9 may purchase or consume liquor on any premises licensed by the board.

10 (b) A violation of this subsection is an infraction punishable by
11 a fine of not more than five hundred dollars.

12 (c) A defendant's intoxication may not be used as a defense in an
13 action under this subsection.

14 (d) Until July 1, 2000, every establishment licensed under RCW
15 66.24.330 or 66.24.420 shall conspicuously post in the establishment
16 notice of the prohibition against the purchase or consumption of
17 liquor under this subsection.

18 (3) An administrative action for violation of subsection (1) of
19 this section and an infraction issued for violation of subsection (2)
20 of this section arising out of the same incident are separate actions
21 and the outcome of one shall not determine the outcome of the other.

1 (4) (a) When a civil action for damages is brought against any
2 past or present server of a retailer arising from the server's
3 alleged sale of liquor to a person apparently under the influence of
4 liquor, the retailer must pay all necessary expenses of defending the
5 action against the server and any monetary judgment entered against
6 the server, and the judgment creditor must seek satisfaction for
7 damages only from the retailer. Any judgment against the server may
8 not become a lien upon any property of the server.

9 (b) Nothing in this subsection limits a server's personal
10 liability for and obligation to pay any fine assessed by the board, a
11 liquor enforcement officer, or a county or municipal peace officer
12 for a violation of this section.

13 (c) Nothing in this subsection limits any cause of action against
14 a retailer.

15 (d) For the purposes of this section, "server" means any person,
16 working for or on behalf of a retailer, whose duties include the
17 compounding, sale, or service of alcohol for consumption as
18 authorized under this title.

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