
SENATE BILL 5310

State of Washington 63rd Legislature 2013 Regular Session

By Senators Nelson, Kohl-Welles, Chase, Harper, Keiser, and Conway

Read first time 01/25/13. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to senior center licenses; amending RCW 66.20.300
2 and 66.20.310; and adding a new section to chapter 66.24 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 66.24 RCW
5 to read as follows:

6 (1) There shall be a license to be designated as a senior center
7 license. This shall be a license issued to a nonprofit organization
8 whose primary service is providing recreational and social activities
9 for seniors on the licensed premises. This license shall permit the
10 licensee to sell spirits by the individual glass, including mixed
11 drinks and cocktails mixed on the premises only, beer and wine, at
12 retail for consumption on the premises.

13 (2) To qualify for this license, the applicant entity must:

14 (a) Be a nonprofit organization under chapter 24.03 RCW;

15 (b) Be open at times and durations established by the board; and

16 (c) Provide limited food service as defined by the board.

17 (3) All alcohol servers must have a valid mandatory alcohol server
18 training permit.

19 (4) The board shall adopt rules to implement this section.

1 (5) The annual fee for this license shall be seven hundred twenty
2 dollars.

3 **Sec. 2.** RCW 66.20.300 and 2011 c 325 s 5 are each amended to read
4 as follows:

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout RCW 66.20.310 through 66.20.350.

7 (1) "Alcohol" has the same meaning as "liquor" in RCW 66.04.010.

8 (2) "Alcohol server" means any person who as part of his or her
9 employment participates in the sale or service of alcoholic beverages
10 for on-premise consumption at a retail licensed premise as a regular
11 requirement of his or her employment, and includes those persons
12 eighteen years of age or older permitted by the liquor laws of this
13 state to serve alcoholic beverages with meals.

14 (3) "Board" means the Washington state liquor control board.

15 (4) "Training entity" means any liquor licensee associations,
16 independent contractors, private persons, and private or public
17 schools, that have been certified by the board.

18 (5) "Retail licensed premises" means any:

19 (a) Premises licensed to sell alcohol by the glass or by the drink,
20 or in original containers primarily for consumption on the premises as
21 authorized by RCW 66.24.320, 66.24.330, 66.24.350, 66.24.400,
22 66.24.425, 66.24.450, 66.24.570, (~~and~~) 66.24.610, and section 1 of
23 this act;

24 (b) Distillery licensed pursuant to RCW 66.24.140 that is
25 authorized to serve samples of its own production;

26 (c) Facility established by a domestic winery for serving and
27 selling wine pursuant to RCW 66.24.170(4); and

28 (d) Grocery store licensed under RCW 66.24.360, but only with
29 respect to employees whose duties include serving during tasting
30 activities under RCW 66.24.363.

31 **Sec. 3.** RCW 66.20.310 and 2011 c 325 s 4 are each amended to read
32 as follows:

33 (1)(a) There shall be an alcohol server permit, known as a class 12
34 permit, for a manager or bartender selling or mixing alcohol, spirits,
35 wines, or beer for consumption at an on-premises licensed facility.

1 (b) There shall be an alcohol server permit, known as a class 13
2 permit, for a person who only serves alcohol, spirits, wines, or beer
3 for consumption at an on-premises licensed facility.

4 (c) As provided by rule by the board, a class 13 permit holder may
5 be allowed to act as a bartender without holding a class 12 permit.

6 (2)(a) Effective January 1, 1997, except as provided in (d) of this
7 subsection, every alcohol server employed, under contract or otherwise,
8 at a retail licensed premise shall be issued a class 12 or class 13
9 permit.

10 (b) Every class 12 and class 13 permit issued shall be issued in
11 the name of the applicant and no other person may use the permit of
12 another permit holder. The holder shall present the permit upon
13 request to inspection by a representative of the board or a peace
14 officer. The class 12 or class 13 permit shall be valid for employment
15 at any retail licensed premises described in (a) of this subsection.

16 (c) Except as provided in (d) of this subsection, no licensee
17 holding a license as authorized by RCW 66.24.320, 66.24.330, 66.24.350,
18 66.24.400, 66.24.425, 66.24.450, 66.24.570, 66.24.600, ~~((and))~~
19 66.24.610, and section 1 of this act may employ or accept the services
20 of any person without the person first having a valid class 12 or class
21 13 permit.

22 (d) Within sixty days of initial employment, every person whose
23 duties include the compounding, sale, service, or handling of liquor
24 shall have a class 12 or class 13 permit.

25 (e) No person may perform duties that include the sale or service
26 of alcoholic beverages on a retail licensed premises without possessing
27 a valid alcohol server permit.

28 (3) A permit issued by a training entity under this section is
29 valid for employment at any retail licensed premises described in
30 subsection (2)(a) of this section for a period of five years unless
31 suspended by the board.

32 (4) The board may suspend or revoke an existing permit if any of
33 the following occur:

34 (a) The applicant or permittee has been convicted of violating any
35 of the state or local intoxicating liquor laws of this state or has
36 been convicted at any time of a felony; or

37 (b) The permittee has performed or permitted any act that
38 constitutes a violation of this title or of any rule of the board.

1 (5) The suspension or revocation of a permit under this section
2 does not relieve a licensee from responsibility for any act of the
3 employee or agent while employed upon the retail licensed premises.
4 The board may, as appropriate, revoke or suspend either the permit of
5 the employee who committed the violation or the license of the licensee
6 upon whose premises the violation occurred, or both the permit and the
7 license.

8 (6)(a) After January 1, 1997, it is a violation of this title for
9 any retail licensee or agent of a retail licensee as described in
10 subsection (2)(a) of this section to employ in the sale or service of
11 alcoholic beverages, any person who does not have a valid alcohol
12 server permit or whose permit has been revoked, suspended, or denied.

13 (b) It is a violation of this title for a person whose alcohol
14 server permit has been denied, suspended, or revoked to accept
15 employment in the sale or service of alcoholic beverages.

16 (7) Grocery stores licensed under RCW 66.24.360, the primary
17 commercial activity of which is the sale of grocery products and for
18 which the sale and service of beer and wine for on-premises consumption
19 with food is incidental to the primary business, and employees of such
20 establishments, are exempt from RCW 66.20.300 through 66.20.350, except
21 for employees whose duties include serving during tasting activities
22 under RCW 66.24.363.

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