
HOUSE BILL 1165

State of Washington 65th Legislature 2017 Regular Session

By Representatives Sawyer, Young, Condotta, Vick, Blake, and Kirby

1 AN ACT Relating to theater licenses; and amending RCW 66.24.655.

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

3 **Sec. 1.** RCW 66.24.655 and 2013 c 237 s 1 are each amended to
4 read as follows:

5 (1) There is a theater license to sell spirits, beer, including
6 strong beer, or wine, or all, at retail, for consumption on theater
7 premises. A spirits, beer, and wine theater license may be issued
8 ((only)) to theaters ((that have no more than one hundred twenty
9 seats per screen and)) that are maintained in a substantial manner as
10 a place for preparing, cooking, and serving complete meals ((and
11 providing tabletop accommodations for in-theater dining)).
12 Requirements for complete meals are the same as those adopted by the
13 board in rules pursuant to chapter 34.05 RCW for a spirits, beer, and
14 wine restaurant license authorized by RCW 66.24.400. The annual fee
15 for a spirits, beer, and wine theater license is two thousand
16 dollars.

17 (2) If the theater premises is to be frequented by minors, an
18 alcohol control plan must be submitted to the board at the time of
19 application. The alcohol control plan must be approved by the board
20 and be prominently posted on the premises, prior to minors being
21 allowed.

1 (3) For the purposes of this section:

2 (a) "Alcohol control plan" means a written, dated, and signed
3 plan submitted to the board by an applicant or licensee for the
4 entire theater premises, or rooms or areas therein, that shows where
5 and when alcohol is permitted, where and when minors are permitted,
6 and the control measures used to ensure that minors are not able to
7 obtain alcohol or be exposed to environments where drinking alcohol
8 predominates.

9 (b) "Theater" means a place of business where motion pictures or
10 other primarily nonparticipatory entertainment are shown.

11 (4) The board must adopt rules regarding alcohol control plans
12 and necessary control measures to ensure that minors are not able to
13 obtain alcohol or be exposed to areas where drinking alcohol
14 predominates. All alcohol control plans must include a requirement
15 that any person involved in the serving of spirits, beer, and/or wine
16 must have completed a mandatory alcohol server training program.

17 (5)(a) A licensee that is an entity that is exempt from taxation
18 under Title 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue
19 code of 1986, as amended as of January 1, 2013, may enter into
20 arrangements with a spirits, beer, or wine manufacturer, importer, or
21 distributor for brand advertising at the theater or promotion of
22 events held at the theater. The financial arrangements providing for
23 the brand advertising or promotion of events may not be used as an
24 inducement to purchase the products of the manufacturer, importer, or
25 distributor entering into the arrangement and such arrangements may
26 not result in the exclusion of brands or products of other companies.

27 (b) The arrangements allowed under this subsection (5) are an
28 exception to arrangements prohibited under RCW 66.28.305. The board
29 must monitor the impacts of these arrangements. The board may conduct
30 audits of a licensee and the affiliated business to determine
31 compliance with this subsection (5). Audits may include, but are not
32 limited to: Product selection at the facility; purchase patterns of
33 the licensee; contracts with the spirits, beer, or wine manufacturer,
34 importer, or distributor; and the amount allocated or used for
35 spirits, beer, or wine advertising by the licensee, affiliated
36 business, manufacturer, importer, or distributor under the
37 arrangements.

38 (6) The maximum penalties prescribed by the board in WAC
39 314-29-020 relating to fines and suspensions are double for

1 violations involving minors or the failure to follow the alcohol
2 control plan with respect to theaters licensed under this section.

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