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SENATE BILL 6076

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State of Washington

62nd Legislature

2012 Regular Session

By Senators Nelson, Fain, and Pridemore

1 AN ACT Relating to senior center licenses; amending RCW 66.20.300,  
2 66.20.310, and 66.24.440; and adding a new section to chapter 66.24  
3 RCW.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34 (1)(a) There shall be an alcohol server permit, known as a class 12  
35 permit, for a manager or bartender selling or mixing alcohol, spirits,  
36 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.

23 **Sec. 4.** RCW 66.24.440 and 2011 c 325 s 3 are each amended to read  
24 as follows:

25 Each spirits, beer, and wine restaurant, spirits, beer, and wine  
26 private club, hotel, spirits, beer, and wine nightclub, sports  
27 entertainment facility (~~(licensee, and)~~), VIP airport lounge, and  
28 senior center licensee shall be entitled to purchase any spirituous  
29 liquor items salable under such license from the board at a discount of  
30 not less than fifteen percent from the retail price fixed by the board,  
31 together with all taxes.

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