



**Bill Title: LOCAL GOVERNMENT OBJECTIONS TO ISSUANCE OF LIQUOR LICENSES**

Bill Number: **HB 2113**

**Amends RCW 66.24.010**

**Background:**

Modifies how the Liquor Control Board may deny a license or the renewal of a license. Local governments may submit objections to the Board after they receive notice of a license application or renewal of an existing license based on "chronic illegal activity." The Liquor Control Board must give great weight to objections based on chronic illegal activity and documented in the local government's objection. "Chronic illegal activity" includes a pervasive pattern of activity that threatens public safety of the local government's jurisdiction. The activity may include open container violations, assaults, disturbances, disorderly conduct, or activity documented in crime statistics, police reports, emergency medical responses, calls for service and similar records.

Chronic illegal activity is also an unreasonably high number of DUI violations associated with the applicant or the establishment being licensed. This chronic illegal activity must be associated with the applicant's operation of the premises being licensed or other licensed premises operated by the applicant or conduct of patrons inside or outside of the licensed premises.

If a license is denied and the applicant/licensee requests a hearing, the LCB will defend the Board's decision.

**Implementation:**

What changes in the licensing and renewal process result for the Board from this new legislation?

- The Board has a broader basis on which to deny a license, i.e. documented chronic illegal activity associated with the applicant's operation of the premises to be licensed, other licensed premises operated by the licensee, or conduct of patron's of the licensee inside or outside the licensed premises.
- Illegal activity need not be related to just liquor related violations.

What local governments must do to document "chronic illegal activity"?

- Illegal activity must show a pervasive pattern of behavior, not an individual incident.
- There must be extensive evidence to support a denial.

- Should a hearing be held, local government personnel may be called as witnesses.
- There is an assumption that local government and LCB have worked with licensees who are having problems before resorting to objections to a license renewal.

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