



Board Decision Memo

To: Washington State Liquor and Cannabis Board (WSLCB), Board.

From: Licensing and Regulation Division.

Date: August 3, 2022.

Subject: Sports Entertainment Facilities.

Action requested: Consideration of approval for the licensing division to review and approve canned cocktails with 8% Alcohol by Volume (ABV) or less to be sold at Sports Entertainment Facilities (SEF’s) for consumption within general seating.

Background

On March 28, 1996, the legislature passed Substitute House Bill 2656 which established a spirits, beer, and wine license for arenas, coliseums, stadiums, or other facilities where sporting, entertainment, and special events are presented. Subsequent rule development included a matrix that outlined the event types and facility locations where beer, wine, or spirits could be sold and consumed. The rule further stated that If alcohol service is requested outside of the parameters listed within the matrix, a special request with justification can be submitted for consideration by the board.

For ease of reviewing rule guidelines specific to spirits, a modified version of the matrix is included:

Event Type	Service Area
<ul style="list-style-type: none"> • Professional sporting events of baseball, football, basketball, soccer, tennis, volleyball, horse racing, hockey, and track and field events. • All other professional sporting events including WWE, UFC, rodeo, motor cross, national auto racing, and monster truck events. • Darkened house events. 	<ul style="list-style-type: none"> ✓ Restaurants; ✓ Lounges; ✓ Private suites; ✓ Club rooms; ✓ Temporary lounges; ✓ Beer gardens; ✓ Club seats; and ✓ Other approved service areas.
<ul style="list-style-type: none"> • Amateur sporting events. 	<ul style="list-style-type: none"> ✓ Same as above with exception of club seats.

In 2019, the board approved the first SEF pilot program that allowed the sale of pre-made batched spirit cocktails of 8% or less ABV for consumption in general seating. After a successful two-year pilot program, the facility was approved to move into permanent status and later added canned cocktails of 8% ABV or less. In the last year, the board has approved two additional facilities to pilot increased levels of alcohol service which included canned cocktails containing 8% or less ABV in addition to pre-made batched spirit cocktails. Recently, licensing has seen a sharp increase in SEF's requesting to add either one or both of the cocktails listed above. While drinks containing spirits are allowed in many locations throughout a facility, only beer and wine is approved within the rule matrix for consumption in general seating. One notable advantage of canned cocktails over batched is the consistency of the ABV. Batched cocktails are made on-site and are subject to human error that could lead to undesirable ABV levels that are difficult to monitor.

Request for Consideration

Due to the overall success of the pilot programs, the willingness of licensees to continuously improve their options with a shared focus on public safety, and the continued collaboration with enforcement, licensing is requesting consideration of approval to allow licensing managers to review and approve SEF increased levels of service of canned cocktails in general seating if:

- The canned cocktails are 8% ABV or less;
- The operating plan includes this level of service and any additional public safety measures to mitigate any increased risk;
- The operating plan clearly distinguishes how the containers containing drinks with alcohol will vary from containers with non-alcoholic drinks;
- The licensee does not have a history of public safety violations; and
- The applicant or licensee attests that an increase in public safety concerns may result in revocation of licensing's approval.

Licensing's Recommendation

If a facility requests pre-made batched spirit cocktails of 8% or less, licensing recommends we continue to obtain information pertaining to the licensee's current operations, statistics of alcohol related contacts, input from local jurisdictions, and collaboration with enforcement. A decision paper would then be presented to the board for consideration of a pilot program. In addition, if a licensee did not meet the requirements above for canned cocktails or further considerations were necessary, a decision paper would be presented to the board for consideration of a pilot program.

This memo was presented and approved by the Board on August 3, 2022.

David Postman, Board Chair

Ollie Garrett, Board Member

Jim Vollendroff, Board Member