



**Washington State  
Liquor and Cannabis Board**

**Date:** February 14, 2024

**To:** David Postman, Board Chair  
Ollie Garrett, Board Member  
Jim Vollendroff, Board Member

**From:** Daniel Jacobs, Policy and Rules Coordinator

**Copy:** Will Lukela, Agency Director  
Toni Hood, Agency Deputy Director  
Chandra Wax, Director of Enforcement and Education  
Becky Smith, Licensing Director  
Justin Nordhorn, Policy and External Affairs Director  
Cassidy West, Rules & Policy Manager

**Subject:** **Approval to file a pre-proposal statement of inquiry (CR 101) regarding WAC 314-11-050 on prohibited conduct at liquor license premises**

The Washington State Liquor and Cannabis Board (Board) is considering repealing, amending, and creating rule sections in Title 314 WAC as necessary to address [WAC 314-11-050](#) following stakeholder feedback.

**Process**

The Policy and Rules Coordinator requests approval to file the pre-proposal statement of inquiry (CR 101) for the rule making described above. A CR 101 Memorandum was presented at the Board meeting on February 14, 2024 and is attached to this order.

If approved for filing, the **tentative timeline** for the rule making process is outlined below:

February 14, 2024	Board is asked to approve filing pre-proposal statement of inquiry (CR 101). CR 101 is filed with the Office of the Code Reviser. Webpage is updated and notice circulated by GovDelivery distribution list. Informal comment period begins.
March 6, 2024	Notice is published in the Washington State Register under WSR 24-05.
March 22, 2024	Informal comment period ends.





## CR 101 Memorandum

### Regarding WAC 314-11-050 on prohibited conduct at liquor license premises.

Date: February 14, 2024  
Presented by: Daniel Jacobs, Policy and Rules Coordinator

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#### Background

[WAC 314-11-050](#) identifies prohibited conduct and behavior of patrons and employees at liquor license premises. This rule language is unchanged from when it was put into WAC 314-11-050 [in 2001](#), when WAC 314-16-125 was repealed and most of its language put into WAC 314-11-050. WAC 314-16-125 was created in 1975, then revised in 1981, 1982 and 1992.

Based on extensive stakeholder feedback, the Washington State Liquor and Cannabis Board (Board) is examining whether revisions need to be made to the language of the rule, or if the rule needs to be repealed.

#### Reasons Why Rulemaking Is Needed

Amending or repealing WAC 314-11-050 may be needed based on extensive recent stakeholder feedback, and to address potential inequitable application of certain provisions, as well as to replace antiquated language that no longer reflects societal norms.

#### Process

The rulemaking process begins by announcing the Board's intent to consider changes to existing rules, add new rule sections, or both by filing a pre-proposal statement of inquiry (CR 101) form with the Office of the Code Reviser. This allows staff, stakeholders, industry partners, and all members of the authorizing environment to begin discussing possible rule changes.

At the CR 101 stage of the rulemaking process, no proposed language is offered. Any interested person may comment on this possible rulemaking during the designated comment period. Notice will be sent to all who have indicated that they want to receive notice of rule activity related to this pre-proposal statement of inquiry. The notice will identify the public comment period and where comments can be sent.



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Washington State Liquor and Cannabis Board

**Subject of possible rule making:** Title 314 WAC. The Washington State Liquor and Cannabis Board (LCB) is considering amending or repealing WAC 314-11-050 regarding prohibited conduct at liquor license premises.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 66.08.030, RCW 66.98.070.

**Reasons why rules on this subject may be needed and what they might accomplish:** WAC 314-11-050 identifies prohibited conduct and behavior of patrons and employees at liquor license premises. This rule language is unchanged from when it was put into WAC 314-11-050 in 2001, when WAC 314-16-125 was repealed and most of its language put into WAC 314-11-050. WAC 314-16-125 was created in 1975, then revised in 1981, 1982 and 1992.

Based on extensive stakeholder feedback, the Washington State Liquor and Cannabis Board (Board) is examining whether revisions need to be made to the language of the rule, or if the rule needs to be repealed.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** None

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rule making

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Daniel Jacobs, Policy and Rules Coordinator  
Address: PO BOX 43080, Olympia, WA 98504  
Phone: 360-480 1238  
Fax: 360-704-5027  
TTY:  
Email: rules@lcb.wa.gov  
Web site: lcb.wa.gov  
Other:

(If necessary)

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Web site:  
Other:

Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WALCB/subscriber/new>. Rulemaking notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the WSLCB website at lcb.wa.gov.

<b>Date:</b> February 14, 2024	<b>Signature:</b>  Place signature here
<b>Name:</b> David Postman	
<b>Title:</b> Chair	



## Notice of Pre-Proposal Statement of Inquiry WSR 24-05-xxx

The Washington State Liquor and Cannabis Board (LCB) has filed a pre-proposal statement of inquiry (CR 101) to consider repealing or amending [WAC 314-11-050](#) regarding prohibited conduct at liquor license premises.

### Opportunity for Public Comment

Please send your comments on the CR 101 to the WSLCB through mail, e-mail, or fax by **March 22, 2024**. The CR 102 with proposed rules is anticipated to be filed on or after April 10, 2024, following collaborative rule development.

**By mail:** Rules Coordinator  
Liquor and Cannabis Board  
P.O. Box 43080  
Olympia, WA 98504-3080

**By e-mail:** [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov)

**By fax:** 360-704-5027

This notice can be found at <https://lcb.wa.gov/laws/current-rulemaking-activity>.