

SHB 2688 - H AMD 1054

By Representative Van De Wege

WITHDRAWN 02/13/2010

1 Beginning on page 1, line 6, strike all of section 1 and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The liquor control board must establish
4 a pilot project to allow beer and wine tasting in grocery stores
5 licensed under RCW 66.24.360.

6 (2) The pilot project must consist of thirty locations with at
7 least six tastings to be conducted at each location between September
8 1, 2010, and September 1, 2012. However, no licensee may hold more
9 than one tasting per month during the project period.

10 (3) Licensees chosen to participate in the pilot project must meet
11 the following criteria:

12 (a) The licensee has retail sales of grocery products for off-
13 premises consumption that are more than fifty percent of the licensee's
14 gross sales or the licensee is a membership organization that requires
15 members to be at least eighteen years of age;

16 (b) The licensee operates a fully enclosed retail area encompassing
17 at least nine thousand square feet, except that the board may allow a
18 licensee with a retail area encompassing less than nine thousand square
19 feet to participate in the pilot project if the board determines that
20 no licensee in the community the licensee serves meets the square
21 footage requirement and the licensee meets operational requirements
22 established by the board; and

23 (c) The licensee has not had more than one public safety violation
24 within the past two years.

25 (4) A "tasting" may be conducted under the following conditions:

26 (a) Each sample must be two ounces or less, up to a total of four
27 ounces, per customer during any one visit to the premises;

28 (b) No more than one sample of the same product offering of beer or
29 wine may be provided to a customer during any one visit to the
30 premises;

1 (c) The licensee must have food available for the tasting
2 participants;

3 (d) Customers must remain in the service area while consuming
4 samples; and

5 (e) The service area and facilities must be located within the
6 licensee's fully enclosed retail area, and must be of a size and design
7 such that the licensee can observe and control persons in the area to
8 ensure that persons under twenty-one years of age and obviously
9 intoxicated persons cannot possess or consume alcohol.

10 (5) Employees of licensees whose duties include serving during
11 tasting activities under this section must hold a class 12 alcohol
12 server permit.

13 (6) The licensee may only advertise the tasting event within the
14 store.

15 (7) The board may establish additional criteria for the pilot
16 project to assure that persons under twenty-one years of age and
17 apparently intoxicated persons cannot possess or consume alcohol.

18 (8) The board must report on the pilot project to the appropriate
19 committees of the legislature by December 1, 2012."

20 Beginning on page 5, line 35, strike all of section 4

21 On page 8, after line 31, insert the following:

22 "NEW SECTION. **Sec. 4.** This act expires December 1, 2012."

23 Correct the title.

EFFECT: Changes the tasting endorsement available to all stores meeting criteria to a two-year pilot project for 30 stores with at least six tastings but no more than one per month at each store. Provides that the criteria for stores and the conditions for tasting are the same as under the substitute bill. Limits advertising to within the store. Strikes provision allowing wineries and breweries to provide pouring services. Requires a report to the appropriate committees of the Legislature by December 1, 2012. Provides that the act expires on December 1, 2012.

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