

HOUSE BILL REPORT

SB 5060

As Passed House - Amended:

April 6, 2009

Title: An act relating to the use of manufactured wine or beer.

Brief Description: Modifying provisions relating to the use of manufactured wine or beer.

Sponsors: Senator Jacobsen.

Brief History:

Committee Activity:

Commerce & Labor: 3/13/09, 3/25/09 [DPA].

Floor Activity

Passed House - Amended: 4/6/09, 90-3.

Brief Summary of Bill (As Amended by House)

- Raises the amount of home-made beer and wine which may be removed from the home from one to 20 gallons.
- Expands the purposes for which home-made beer and wine may be removed from the home to private use, including use at organized affairs, exhibitions, or competitions.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended. Signed by 8 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Crouse, Green, Moeller and Williams.

Staff: Joan Elgee (786-7106)

Background:

Beer and wine made in the home is generally exempt from regulation under the state alcohol beverage control laws, as long as the beer or wine is consumed in the home and not sold. State law does allow an adult to remove not more than one gallon of home-made beer or

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wine from the home for exhibition or use at an organized beer or wine tasting or competition. Home-made beer and wine removed from the home may not be sold or used by any person other than the producer and the event judges. Any beer or wine left over from the tasting or competition must be returned to the home in which it was produced.

Federal law allows the production for personal or family use of 100 gallons of wine and beer annually per household or 200 gallons annually if there are two or more adults in the household. Beer and wine may be removed from the premises for personal or family use including use at organized affairs, exhibitions, or competitions such as homemaker's contests, tastings, or judging. The beer or wine may not be sold.

Summary of Amended Bill:

The general exemption from alcohol beverage control laws for home-made beer and wine is expanded to any home-made beer and wine manufactured for private consumption, rather than beer and wine for consumption in the home. The amount of home-made beer or wine an adult may remove from the home is changed from one gallon to 20 gallons. Home-made beer and wine may be removed from the home for private use, including use at organized affairs, exhibitions, or competitions such as homemaker's contests, tastings, or judging.

The requirement that any beer or wine left over from a tasting or competition must be returned to the home is eliminated.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill would modernize a law that is left-over from Prohibition. It would allow home beer and wine producers to go over to a neighbor's house and bring a six pack of beer or a bottle of wine. Right now, a person making wine at home can't take a bottle of wine back to the vineyard that grew the grapes. It will also allow Washington to host large events and conferences of home beer and wine producers. The bill is about community and sharing to help each other improve. Many breweries got their start in the home. The bill supports local industry as grapes, hops, and equipment are bought locally. Home producers do not compete with commercial producers. The bill does not change the amount of beer and wine that can be produced.

(With concerns) The concept is supported as many wineries got their start in the home. There are concerns with including 501(c)(3) organizations.

(Opposed) The change to 20 gallons makes sense but providing the beer or wine to 501(c)(3) organizations is of concern because those organizations could sell to the public. Also, people

assume that beer or wine purchased from non-profits comes from a licensed brewery or winery.

Persons Testifying: (In support) Senator Jacobsen, prime sponsor; Mark Emiley and Tom Schmidlin, Washington Homebrewers Association; Alejandro Brown, Big Al Brewing; and Brandon Horn, Impaling Alers and The Boeing Wine and Beer Making Club.

(With concerns) Anne McGrath, Washington Wine Institute.

(Opposed) Rick Garza, Washington State Liquor Control Board.

Persons Signed In To Testify But Not Testifying: None.