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SENATE BILL 5302

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Kohl-Welles, Holmquist Newbry, Conway, King, and Hewitt

Read first time 01/20/11. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to liquor permits and licenses; and amending RCW  
2 66.20.010 and 66.24.400.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 66.20.010 and 2008 c 181 s 602 are each amended to  
5 read as follows:

6 Upon application in the prescribed form being made to any employee  
7 authorized by the board to issue permits, accompanied by payment of the  
8 prescribed fee, and upon the employee being satisfied that the  
9 applicant should be granted a permit under this title, the employee  
10 shall issue to the applicant under such regulations and at such fee as  
11 may be prescribed by the board a permit of the class applied for, as  
12 follows:

13 (1) Where the application is for a special permit by a physician or  
14 dentist, or by any person in charge of an institution regularly  
15 conducted as a hospital or sanitorium for the care of persons in ill  
16 health, or as a home devoted exclusively to the care of aged people, a  
17 special liquor purchase permit, except that the governor may waive the  
18 requirement for a special liquor purchase permit under this subsection  
19 pursuant to an order issued under RCW 43.06.220(2);

1 (2) Where the application is for a special permit by a person  
2 engaged within the state in mechanical or manufacturing business or in  
3 scientific pursuits requiring alcohol for use therein, or by any  
4 private individual, a special permit to purchase alcohol for the  
5 purpose named in the permit, except that the governor may waive the  
6 requirement for a special liquor purchase permit under this subsection  
7 pursuant to an order issued under RCW 43.06.220(2);

8 (3) Where the application is for a special permit to consume liquor  
9 at a banquet, at a specified date and place, a special permit to  
10 purchase liquor for consumption at such banquet, to such applicants as  
11 may be fixed by the board;

12 (4) Where the application is for a special permit to consume liquor  
13 on the premises of a business not licensed under this title, a special  
14 permit to purchase liquor for consumption thereon for such periods of  
15 time and to such applicants as may be fixed by the board;

16 (5) Where the application is for a special permit by a manufacturer  
17 to import or purchase within the state alcohol, malt, and other  
18 materials containing alcohol to be used in the manufacture of liquor,  
19 or other products, a special permit;

20 (6) Where the application is for a special permit by a person  
21 operating a drug store to purchase liquor at retail prices only, to be  
22 thereafter sold by such person on the prescription of a physician, a  
23 special liquor purchase permit, except that the governor may waive the  
24 requirement for a special liquor purchase permit under this subsection  
25 pursuant to an order issued under RCW 43.06.220(2);

26 (7) Where the application is for a special permit by an authorized  
27 representative of a military installation operated by or for any of the  
28 armed forces within the geographical boundaries of the state of  
29 Washington, a special permit to purchase liquor for use on such  
30 military installation at prices to be fixed by the board;

31 (8) Where the application is for a special permit by a vendor that  
32 manufactures liquor mixers or a manufacturer, importer, or distributor,  
33 or representative thereof, to serve liquor without charge to delegates  
34 and guests at a convention of a trade association composed of licensees  
35 of the board, when the said liquor is served in a hospitality room or  
36 from a booth in a board- approved suppliers' display room at the  
37 convention, and when the liquor so served is for consumption in the  
38 said hospitality room or display room during the convention, anything

1 in Title 66 RCW to the contrary notwithstanding. Any such spirituous  
2 liquor shall be purchased from the board or a spirits, beer, and wine  
3 restaurant licensee and any such beer and wine shall be subject to the  
4 taxes imposed by RCW 66.24.290 and 66.24.210;

5 (9) Where the application is for a special permit by a  
6 manufacturer, importer, or distributor, or representative thereof, to  
7 donate liquor for a reception, breakfast, luncheon, or dinner for  
8 delegates and guests at a convention of a trade association composed of  
9 licensees of the board, when the liquor so donated is for consumption  
10 at the said reception, breakfast, luncheon, or dinner during the  
11 convention, anything in Title 66 RCW to the contrary notwithstanding.  
12 Any such spirituous liquor shall be purchased from the board or a  
13 spirits, beer, and wine restaurant licensee and any such beer and wine  
14 shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210;

15 (10) Where the application is for a special permit by a  
16 manufacturer, importer, or distributor, or representative thereof, to  
17 donate and/or serve liquor without charge to delegates and guests at an  
18 international trade fair, show, or exposition held under the auspices  
19 of a federal, state, or local governmental entity or organized and  
20 promoted by a nonprofit organization, anything in Title 66 RCW to the  
21 contrary notwithstanding. Any such spirituous liquor shall be  
22 purchased from the board and any such beer or wine shall be subject to  
23 the taxes imposed by RCW 66.24.290 and 66.24.210;

24 (11) Where the application is for an annual special permit by a  
25 person operating a bed and breakfast lodging facility to donate or  
26 serve wine or beer without charge to overnight guests of the facility  
27 if the wine or beer is for consumption on the premises of the facility.  
28 "Bed and breakfast lodging facility," as used in this subsection, means  
29 a facility offering from one to eight lodging units and breakfast to  
30 travelers and guests.

31 **Sec. 2.** RCW 66.24.400 and 2008 c 41 s 10 are each amended to read  
32 as follows:

33 (1) There shall be a retailer's license, to be known and designated  
34 as a spirits, beer, and wine restaurant license, to sell spirituous  
35 liquor by the individual glass, beer, and wine, at retail, for  
36 consumption on the premises, including mixed drinks and cocktails  
37 compounded or mixed on the premises only. A club licensed under

1 chapter 70.62 RCW with overnight sleeping accommodations, that is  
2 licensed under this section may sell liquor by the bottle to registered  
3 guests of the club for consumption in guest rooms, hospitality rooms,  
4 or at banquets in the club. A patron of a bona fide restaurant or club  
5 licensed under this section may remove from the premises recorked or  
6 recapped in its original container any portion of wine which was  
7 purchased for consumption with a meal, and registered guests who have  
8 purchased liquor from the club by the bottle may remove from the  
9 premises any unused portion of such liquor in its original container.  
10 Such license may be issued only to bona fide restaurants and clubs, and  
11 to dining, club and buffet cars on passenger trains, and to dining  
12 places on passenger boats and airplanes, and to dining places at civic  
13 centers with facilities for sports, entertainment, and conventions, and  
14 to such other establishments operated and maintained primarily for the  
15 benefit of tourists, vacationers and travelers as the board shall  
16 determine are qualified to have, and in the discretion of the board  
17 should have, a spirits, beer, and wine restaurant license under the  
18 provisions and limitations of this title.

19 (2) The board may issue an endorsement to the spirits, beer, and  
20 wine restaurant license that allows the holder of a spirits, beer, and  
21 wine restaurant license to sell bottled wine for off-premises  
22 consumption. Spirits and beer may not be sold for off-premises  
23 consumption under this section except as provided in subsection (4) of  
24 this section. The annual fee for the endorsement under this subsection  
25 is one hundred twenty dollars.

26 (3) The holder of a spirits, beer, and wine license or its manager  
27 may furnish beer, wine, or spirituous liquor to the licensee's  
28 employees free of charge as may be required for use in connection with  
29 instruction on beer, wine, or spirituous liquor. The instruction may  
30 include the history, nature, values, and characteristics of beer, wine,  
31 or spirituous liquor, the use of wine lists, and the methods of  
32 presenting, serving, storing, and handling beer, wine, and spirituous  
33 liquor. The spirits, beer, and wine restaurant licensee must use the  
34 beer, wine, or spirituous liquor it obtains under its license for the  
35 sampling as part of the instruction. The instruction must be given on  
36 the premises of the spirits, beer, and wine restaurant licensee.

37 (4) The board may issue an endorsement to the spirits, beer, and  
38 wine restaurant license that allows the holder of a spirits, beer, and

1 wine restaurant license to sell for off-premises consumption malt  
2 liquor in kegs or other containers that are capable of holding four  
3 gallons or more of liquid and are registered in accordance with RCW  
4 66.28.200. Beer may also be sold under the endorsement to a purchaser  
5 in a sanitary container brought to the premises by the purchaser or  
6 furnished by the licensee and filled at the tap by the retailer at the  
7 time of sale. The annual fee for the endorsement under this subsection  
8 is one hundred twenty dollars.

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