CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 5665**

Chapter 190, Laws of 2017

65th Legislature

2017 Regular Session

BEER, SPIRITS, AND WINE DISTRIBUTORS--CREDIT CARD FEES

EFFECTIVE DATE: 7/23/2017

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| Passed by the Senate April 17, 2017Yeas 49 Nays 0CYRUS HABIB**President of the Senate**Passed by the House April 11, 2017Yeas 97 Nays 0FRANK CHOPP**Speaker of the House of Representatives** | CERTIFICATEI, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5665** as passed by Senate and the House of Representatives on the dates hereon set forth.HUNTER G. GOODMAN**Chief Clerk** |
| Approved May 4, 2017 1:58 PM | May 4, 2017 |
| JAY INSLEE**Governor of the State of Washington** | **Secretary of State** **State of Washington** |

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**ENGROSSED SENATE BILL 5665**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2017 Regular Session

**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Wilson, Keiser, Conway, and King

AN ACT Relating to the use of credit cards for purchases of beer, spirits, and wine by the purchaser licensed to sell beer, spirits, and/or wine for consumption on the licensed premises; and amending RCW 66.28.270.

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

**Sec.**  RCW 66.28.270 and 2009 c 373 s 11 are each amended to read as follows:

(1) Nothing in this chapter prohibits the use of checks, credit or debit cards, prepaid accounts, electronic funds transfers, and other similar methods as approved by the board, as cash payments for purposes of this title. Electronic ((~~fund[s]~~)) funds transfers must be: ((~~(1)~~)) (a) Voluntary; ((~~(2)~~)) (b) conducted pursuant to a prior written agreement of the parties that includes a provision that the purchase be initiated by an irrevocable invoice or sale order before the time of delivery; ((~~(3)~~)) (c) initiated by the retailer, manufacturer, importer, or distributor no later than the first business day following delivery; and ((~~(4)~~)) (d) completed as promptly as is reasonably practical, and in no event((~~,~~)) later than five business days following delivery.

(2) Any person licensed as a distributor of beer, spirits, and/or wine may pass credit card fees on to a purchaser licensed to sell beer, spirits, and/or wine for consumption on the licensed premises, if the decision to use a credit card is entirely voluntary and the credit card fees are set out as a separate line item on the distributor's invoice. Nothing in this section requires the use of a credit card by any licensee. In establishing the fees to be passed on as authorized in this section a distributor must use the same method of determining or calculating such fees for all customers who elect to use a credit card when accepting delivery of beer, spirits and/or wine. The aggregate of all credit card fees passed on to customers by a distributor as authorized under this section during a calendar month, or such longer time as may be established by the board, may not exceed the aggregate of the fees imposed on that distributor by credit card issuers during that same time period.

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Passed by the Senate April 17, 2017.

Passed by the House April 11, 2017.

Approved by the Governor May 4, 2017.

Filed in Office of Secretary of State May 4, 2017.