

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1951

Chapter 199, Laws of 2001

57th Legislature
2001 Regular Legislative Session

WINE--SALE FOR OFF-PREMISES CONSUMPTION

EFFECTIVE DATE: 7/22/01

Passed by the House April 13, 2001
Yeas 89 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

CLYDE BALLARD
Speaker of the House of Representatives

Passed by the Senate April 6, 2001
Yeas 43 Nays 3

BRAD OWEN
President of the Senate

Approved May 7, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1951** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 7, 2001 - 1:41 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1951

AS AMENDED BY THE SENATE

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Representatives Clements, B. Chandler, G. Chandler, Lisk and Mulliken

Read first time 02/09/2001. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to the sale of wine for off-premises consumption;
2 and amending RCW 66.24.450, 66.24.452, 66.24.425, 66.24.400, and
3 66.24.570.

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

5 **Sec. 1.** RCW 66.24.450 and 1999 c 281 s 5 are each amended to read
6 as follows:

7 (1) No club shall be entitled to a spirits, beer, and wine private
8 club license:

9 (a) Unless such private club has been in continuous operation for
10 at least one year immediately prior to the date of its application for
11 such license;

12 (b) Unless the private club premises be constructed and equipped,
13 conducted, managed, and operated to the satisfaction of the board and
14 in accordance with this title and the regulations made thereunder;

15 (c) Unless the board shall have determined pursuant to any
16 regulations made by it with respect to private clubs, that such private
17 club is a bona fide private club; it being the intent of this section
18 that license shall not be granted to a club which is, or has been,
19 primarily formed or activated to obtain a license to sell liquor, but

1 solely to a bona fide private club, where the sale of liquor is
2 incidental to the main purposes of the spirits, beer, and wine private
3 club, as defined in RCW 66.04.010(7).

4 (2) The annual fee for a spirits, beer, and wine private club
5 license, whether inside or outside of an incorporated city or town, is
6 seven hundred twenty dollars per year.

7 (3) The board may issue an endorsement to the spirits, beer, and
8 wine private club license that allows up to forty nonclub, member-
9 sponsored events using club liquor. Visitors and guests may attend
10 these events only by invitation of the sponsoring member or members.
11 These events may not be open to the general public. The fee for the
12 endorsement shall be an annual fee of nine hundred dollars. Upon the
13 board's request, the holder of the endorsement must provide the board
14 or the board's designee with the following information at least
15 seventy-two hours prior to the event: The date, time, and location of
16 the event; the name of the sponsor of the event; and a brief
17 description of the purpose of the event.

18 (4) The board may issue an endorsement to the spirits, beer, and
19 wine private club license that allows the holder of a spirits, beer,
20 and wine private club license to sell for off-premises consumption wine
21 vinted and bottled in the state of Washington and carrying a label
22 exclusive to the license holder selling the wine. Spirits and beer may
23 not be sold for off-premises consumption under this section. The
24 annual fee for the endorsement under this chapter is one hundred twenty
25 dollars.

26 **Sec. 2.** RCW 66.24.452 and 1997 c 321 s 31 are each amended to read
27 as follows:

28 (1) There shall be a beer and wine license to be issued to a
29 private club for sale of beer and wine for on-premises consumption.

30 (2) Beer and wine sold by the licensee may be on tap or by open
31 bottles or cans.

32 (3) The fee for the private club beer and wine license is one
33 hundred eighty dollars per year.

34 (4) The board may issue an endorsement to the private club beer and
35 wine license that allows the holder of a private club beer and wine
36 license to sell for off-premises consumption wine vinted and bottled in
37 the state of Washington and carrying a label exclusive to the license
38 holder selling the wine. Spirits and beer may not be sold for off-

1 premises consumption under this section. The annual fee for the
2 endorsement under this chapter is one hundred twenty dollars.

3 **Sec. 3.** RCW 66.24.425 and 1998 c 126 s 7 are each amended to read
4 as follows:

5 (1) The board may, in its discretion, issue a spirits, beer, and
6 wine restaurant license to a business which qualifies as a "restaurant"
7 as that term is defined in RCW 66.24.410 in all respects except that
8 the business does not serve the general public but, through membership
9 qualification, selectively restricts admission to the business. For
10 purposes of RCW 66.24.400 and 66.24.420, all licenses issued under this
11 section shall be considered spirits, beer, and wine restaurant licenses
12 and shall be subject to all requirements, fees, and qualifications in
13 this title, or in rules adopted by the board, as are applicable to
14 spirits, beer, and wine restaurant licenses generally except that no
15 service to the general public may be required.

16 (2) No license shall be issued under this section to a business:

17 (a) Which shall not have been in continuous operation for at least
18 one year immediately prior to the date of its application; or

19 (b) Which denies membership or admission to any person because of
20 race, creed, color, national origin, sex, or the presence of any
21 sensory, mental, or physical handicap.

22 (3) The board may issue an endorsement to the spirits, beer, and
23 wine restaurant license that allows the holder of a spirits, beer, and
24 wine restaurant license to sell for off-premises consumption wine
25 vinted and bottled in the state of Washington and carrying a label
26 exclusive to the license holder selling the wine. Spirits and beer may
27 not be sold for off-premises consumption under this section. The
28 annual fee for the endorsement under this chapter is one hundred twenty
29 dollars.

30 **Sec. 4.** RCW 66.24.400 and 1998 c 126 s 5 are each amended to read
31 as follows:

32 (1) There shall be a retailer's license, to be known and designated
33 as a spirits, beer, and wine restaurant license, to sell spirituous
34 liquor by the individual glass, beer, and wine, at retail, for
35 consumption on the premises, including mixed drinks and cocktails
36 compounded or mixed on the premises only: PROVIDED, That a hotel, or
37 club licensed under chapter 70.62 RCW with overnight sleeping

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

20 (2) The board may issue an endorsement to the spirits, beer, and
21 wine restaurant license that allows the holder of a spirits, beer, and
22 wine restaurant license to sell for off-premises consumption wine
23 vinted and bottled in the state of Washington and carrying a label
24 exclusive to the license holder selling the wine. Spirits and beer may
25 not be sold for off-premises consumption under this section. The
26 annual fee for the endorsement under this chapter is one hundred twenty
27 dollars.

28 **Sec. 5.** RCW 66.24.570 and 1997 c 321 s 36 are each amended to read
29 as follows:

30 (1) There is a license for sports entertainment facilities to be
31 designated as a sports/entertainment facility license to sell beer,
32 wine, and spirits at retail, for consumption upon the premises only,
33 the license to be issued to the entity providing food and beverage
34 service at a sports entertainment facility as defined in this section.
35 The cost of the license is two thousand five hundred dollars per annum.

36 (2) For purposes of this section, a sports entertainment facility
37 includes a publicly or privately owned arena, coliseum, stadium, or

1 facility where sporting events are presented for a price of admission.
2 The facility does not have to be exclusively used for sporting events.

3 (3) The board may impose reasonable requirements upon a licensee
4 under this section, such as requirements for the availability of food
5 and victuals including but not limited to hamburgers, sandwiches,
6 salads, or other snack food. The board may also restrict the type of
7 events at a sports entertainment facility at which beer, wine, and
8 spirits may be served. When imposing conditions for a licensee, the
9 board must consider the seating accommodations, eating facilities, and
10 circulation patterns in such a facility, and other amenities available
11 at a sports entertainment facility.

12 (4) The board may issue a caterer's endorsement to the license
13 under this section to allow the licensee to remove from the liquor
14 stocks at the licensed premises, for use as liquor for sale and service
15 at special occasion locations at a specified date and place not
16 currently licensed by the board. The privilege of selling and serving
17 liquor under the endorsement is limited to members and guests of a
18 society or organization as defined in RCW 66.24.375. Cost of the
19 endorsement is three hundred fifty dollars.

20 (a) The holder of this license with catering endorsement shall, if
21 requested by the board, notify the board or its designee of the date,
22 time, place, and location of any catered event. Upon request, the
23 licensee shall provide to the board all necessary or requested
24 information concerning the society or organization that will be holding
25 the function at which the endorsed license will be utilized.

26 (b) If attendance at the function will be limited to members and
27 invited guests of the sponsoring society or organization, the
28 requirement that the society or organization be within the definition
29 of RCW 66.24.375 is waived.

30 (5) The board may issue an endorsement to the beer, wine, and
31 spirits sports/entertainment facility license that allows the holder of
32 a beer, wine, and spirits sports/entertainment facility license to sell
33 for off-premises consumption wine vinted and bottled in the state of
34 Washington and carrying a label exclusive to the license holder selling
35 the wine. Spirits and beer may not be sold for off-premises
36 consumption under this section. The annual fee for the endorsement
37 under this chapter is one hundred twenty dollars.

Passed the House April 13, 2001.
Passed the Senate April 6, 2001.
Approved by the Governor May 7, 2001.
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