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**State Government & Tribal Affairs**  
**Committee**

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**HB 1227**

**Brief Description:** Concerning the waiver of restaurant corkage fees.

**Sponsors:** Representatives Ross, Taylor, Chandler, Hinkle, Warnick, Armstrong, Johnson, Moeller, Harris and Condotta.

**Brief Summary of Bill**

- Allows domestic wineries and restaurants to enter into an agreement to waive a corkage fee.

**Hearing Date:** 2/3/11

**Staff:** Joan Elgee (786-7106).

**Background:**

Some restaurants allow patrons to bring their own wine to be served with the meal that they purchase. Restaurants typically charge a fee to open and serve this wine. This charge is referred to as a corkage fee. Restaurants are not required to charge a corkage fee.

The liquor tied house laws regulate the relationship between liquor manufacturers and distributors ("industry members") and retailers. Under the "financial interest" piece of the tied house law, liquor industry members and retailers may have direct or indirect financial interests between and among each other unless the interest has caused or is likely to cause or result in undue influence or result in an adverse impact on public health. Certain financial interests are specifically allowed; for example, a winery may also be licensed as a retailer to sell wine at the winery. Under the "moneys' worth" piece, no industry member may advance money or moneys' worth to a retailer and no retailer may receive money or moneys' worth under a written or unwritten agreement or through business practices. A number of exceptions to the prohibition on moneys' worth have been enacted. For example, industry members may provide branded

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promotional items to retailers under certain circumstances, and wineries may provide personal services such as pouring on retailer premises.

**Summary of Bill:**

An exception is created to both the financial interest and moneys' worth pieces of the tied house law to allow domestic wineries and restaurants licensed to sell beer and/or wine or spirits, or beer and/or wine to enter into an arrangement to waive a corkage fee.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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