
SUBSTITUTE SENATE BILL 6477

State of Washington

62nd Legislature

2012 Regular Session

By Senate Labor, Commerce & Consumer Protection (originally sponsored by Senators Conway, Holmquist Newbry, and Kohl-Welles)

READ FIRST TIME 02/03/12.

1 AN ACT Relating to spirits sampling in former contract liquor
2 stores; and adding a new section to chapter 66.16 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 66.16 RCW
5 to read as follows:

6 (1) The liquor control board must allow spirits sampling in former
7 contract liquor stores for the purpose of promoting spirits products.
8 Stores may apply for an endorsement to offer spirits tastings under
9 this section.

10 (a) No store may hold more than one spirits sampling per week.

11 (b) The locations shall be approved by the board. Before the board
12 determines which stores will be eligible to participate, it shall give:

13 (i) Due consideration to the location of the store with respect to
14 the proximity of places of worship, schools, and public institutions;

15 (ii) Due consideration to motor vehicle accident data in the
16 proximity of the store; and

17 (iii) Written notice by certified mail of the proposed spirits
18 sampling to places of worship, schools, and public institutions within
19 five hundred feet of the store proposed to offer spirits sampling.

1 (c) Sampling must be conducted under the following conditions:

2 (i) Sampling may take place only in an area of a store in which
3 access to persons under twenty-one years of age is prohibited;

4 (ii) Samples may be provided free of charge;

5 (iii) Only persons twenty-one years of age or over may sample
6 spirits;

7 (iv) Each sample must be one-quarter ounce or less, with no more
8 than one ounce of samples provided per person per day;

9 (v) Tasting activities are subject to RCW 66.28.305 and 66.28.040
10 and the cost of sampling may not be borne, directly or indirectly, by
11 any liquor manufacturer, importer, or distributor;

12 (vi) Any person involved in the serving of such samples must have
13 completed a mandatory alcohol server training program;

14 (vii) No person who is apparently intoxicated may sample spirits;

15 (viii) The product provided for sampling must be available for sale
16 at the store where the sampling occurs at the time of the sampling; and

17 (ix) Customers must remain on the store premise while consuming
18 samples.

19 (d) The liquor control board may prohibit sampling at a location
20 that is within the boundaries of an alcohol impact area recognized by
21 resolution of the board if the board finds that the sampling activities
22 at the location are having an adverse effect on the reduction of
23 chronic public inebriation in the area.

24 (e) A store may advertise a tasting event only within the store, on
25 a store web site, in-store newsletters and flyers, and via e-mail and
26 mail to customers who have requested notice of events. Advertising
27 under this subsection may not be targeted to or appeal principally to
28 youth.

29 (f) All other criteria must be determined by the board.

30 (2) The liquor control board may adopt rules to implement this
31 section.

32 (3) For the purposes of this section, "store" means a former
33 contract liquor store premises as of May 31, 2012.

34 (4)(a) If a store is found to have committed a public safety
35 violation in conjunction with tasting activities, the board may suspend
36 the licensee's tasting endorsement and not reissue the endorsement for
37 up to two years from the date of the violation. If mitigating

1 circumstances exist, the board may offer a monetary penalty in lieu of
2 suspension during a settlement conference.

3 (b) RCW 66.08.150 applies to the suspension or revocation of an
4 endorsement.

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