

SHB 1459 - S AMD 289
By Senator Hewitt

NOT CONSIDERED

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 66.20.010 and 2012 c 2 s 109 (Initiative Measure No.
4 1183) are each amended to read as follows:

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

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

19 (2) Where the application is for a special permit by a person
20 engaged within the state in mechanical or manufacturing business or in
21 scientific pursuits requiring alcohol for use therein, or by any
22 private individual, a special permit to purchase alcohol for the
23 purpose named in the 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 (3) Where the application is for a special permit to consume liquor
27 at a banquet, at a specified date and place, a special permit to
28 purchase liquor for consumption at such banquet, to such applicants as
29 may be fixed by the board;

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

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

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

15 (7) Where the application is for a special permit by an authorized
16 representative of a military installation operated by or for any of the
17 armed forces within the geographical boundaries of the state of
18 Washington, a special permit to purchase liquor for use on such
19 military installation;

20 (8) Where the application is for a special permit by a vendor that
21 manufactures or sells a product which cannot be effectively presented
22 to potential buyers without serving it with liquor or by a
23 manufacturer, importer, or distributor, or representative thereof, to
24 serve liquor without charge to delegates and guests at a convention of
25 a trade association composed of licensees of the board, when the said
26 liquor is served in a hospitality room or from a booth in a board-
27 approved suppliers' display room at the convention, and when the liquor
28 so served is for consumption in the said hospitality room or display
29 room during the convention, anything in this title to the contrary
30 notwithstanding. Any such spirituous liquor must be purchased from a
31 spirits retailer or distributor, and any such liquor is subject to the
32 taxes imposed by RCW 66.24.290 and 66.24.210;

33 (9) Where the application is for a special permit by a
34 manufacturer, importer, or distributor, or representative thereof, to
35 donate liquor for a reception, breakfast, luncheon, or dinner for
36 delegates and guests at a convention of a trade association composed of
37 licensees of the board, when the liquor so donated is for consumption
38 at the said reception, breakfast, luncheon, or dinner during the

1 convention, anything in this title to the contrary notwithstanding.
2 Any such spirituous liquor must be purchased from a spirits retailer or
3 distributor, and any such liquor is subject to the taxes imposed by RCW
4 66.24.290 and 66.24.210;

5 (10) Where the application is for a special permit by a
6 manufacturer, importer, or distributor, or representative thereof, to
7 donate and/or serve liquor without charge to delegates and guests at an
8 international trade fair, show, or exposition held under the auspices
9 of a federal, state, or local governmental entity or organized and
10 promoted by a nonprofit organization, anything in this title to the
11 contrary notwithstanding. Any such spirituous liquor must be purchased
12 from a liquor spirits retailer or distributor, and any such liquor is
13 subject to the taxes imposed by RCW 66.24.290 and 66.24.210;

14 (11) Where the application is for an annual special permit by a
15 person operating a bed and breakfast lodging facility to donate or
16 serve wine or beer without charge to overnight guests of the facility
17 if the wine or beer is for consumption on the premises of the facility.
18 "Bed and breakfast lodging facility," as used in this subsection, means
19 a facility offering from one to eight lodging units and breakfast to
20 travelers and guests;

21 (12) Where the application is for a special permit to allow tasting
22 of liquor by persons at least eighteen years of age under the following
23 circumstances:

24 (a) The application is from a community or technical college, a
25 regional university, or a state university;

26 (b) The person who is permitted to taste liquor under this
27 subsection is enrolled as a student in a required or elective class
28 that is part of a culinary, sommelier, wine business, enology,
29 viticulture, wine technology, beer technology, or spirituous technology
30 related degree program;

31 (c) The liquor served to any person in the degree-related programs
32 under (b) of this subsection is tasted but not consumed for the
33 purposes of educational training as part of the class curriculum with
34 the approval of the educational provider;

35 (d) The service and tasting of liquor is supervised by a faculty or
36 staff member of the educational provider, who is twenty-one years of
37 age or older. The supervising faculty or staff member must possess a

1 class 12 or 13 alcohol server permit under the provisions of RCW
2 66.20.310;

3 (e) The enrolled student permitted to taste the liquor does not
4 purchase the liquor; and

5 (f) The permit fee for the special permit provided for in this
6 subsection (12) is waived by the board.

7 **Sec. 2.** RCW 66.20.010 and 2013 c ... (SSB 5774) s 1 are each
8 amended to read as follows:

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

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

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

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

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

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

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

11 (7) Where the application is for a special permit by an authorized
12 representative of a military installation operated by or for any of the
13 armed forces within the geographical boundaries of the state of
14 Washington, a special permit to purchase liquor for use on such
15 military installation;

16 (8) Where the application is for a special permit by a vendor that
17 manufactures or sells a product which cannot be effectively presented
18 to potential buyers without serving it with liquor or by a
19 manufacturer, importer, or distributor, or representative thereof, to
20 serve liquor without charge to delegates and guests at a convention of
21 a trade association composed of licensees of the board, when the said
22 liquor is served in a hospitality room or from a booth in a board-
23 approved suppliers' display room at the convention, and when the liquor
24 so served is for consumption in the said hospitality room or display
25 room during the convention, anything in this title to the contrary
26 notwithstanding. Any such spirituous liquor must be purchased from a
27 spirits retailer or distributor, and any such liquor is subject to the
28 taxes imposed by RCW 66.24.290 and 66.24.210;

29 (9) Where the application is for a special permit by a
30 manufacturer, importer, or distributor, or representative thereof, to
31 donate liquor for a reception, breakfast, luncheon, or dinner for
32 delegates and guests at a convention of a trade association composed of
33 licensees of the board, when the liquor so donated is for consumption
34 at the said reception, breakfast, luncheon, or dinner during the
35 convention, anything in this title to the contrary notwithstanding.
36 Any such spirituous liquor must be purchased from a spirits retailer or
37 distributor, and any such liquor is subject to the taxes imposed by RCW
38 66.24.290 and 66.24.210;

1 (10) Where the application is for a special permit by a
2 manufacturer, importer, or distributor, or representative thereof, to
3 donate and/or serve liquor without charge to delegates and guests at an
4 international trade fair, show, or exposition held under the auspices
5 of a federal, state, or local governmental entity or organized and
6 promoted by a nonprofit organization, anything in this title to the
7 contrary notwithstanding. Any such spirituous liquor must be purchased
8 from a liquor spirits retailer or distributor, and any such liquor is
9 subject to the taxes imposed by RCW 66.24.290 and 66.24.210;

10 (11) Where the application is for an annual special permit by a
11 person operating a bed and breakfast lodging facility to donate or
12 serve wine or beer without charge to overnight guests of the facility
13 if the wine or beer is for consumption on the premises of the facility.
14 "Bed and breakfast lodging facility," as used in this subsection, means
15 a facility offering from one to eight lodging units and breakfast to
16 travelers and guests;

17 (12) Where the application is for a special permit to allow tasting
18 of alcohol by persons at least eighteen years of age under the
19 following circumstances:

20 (a) The application is from a regional university, a state
21 university, or a community or technical college as defined in RCW
22 28B.50.030;

23 (b) The person who is permitted to taste under this subsection is
24 enrolled as a student in a required or elective class that is part of
25 ((a)) an enology, viticulture, culinary, sommelier, wine business or
26 wine technology, beer technology, or spirituous technology-related
27 degree program;

28 (c) The alcohol served to any person in the degree-related programs
29 under (b) of this subsection is tasted but not consumed for the
30 purposes of educational training as part of the class curriculum with
31 the approval of the educational provider;

32 (d) The service and tasting of alcoholic beverages is supervised by
33 a faculty or staff member of the educational provider who is twenty-one
34 years of age or older. The supervising faculty or staff member shall
35 possess a class 12 or 13 alcohol server permit under the provisions of
36 RCW 66.20.310;

37 (e) The enrolled student permitted to taste the alcoholic beverages
38 does not purchase the alcoholic beverages; and

1 (f) The permit fee for the special permit provided for in this
2 subsection (12) shall be waived by the board.

3 **Sec. 3.** RCW 66.44.270 and 1998 c 4 s 1 are each amended to read as
4 follows:

5 (1) It is unlawful for any person to sell, give, or otherwise
6 supply liquor to any person under the age of twenty-one years or permit
7 any person under that age to consume liquor on his or her premises or
8 on any premises under his or her control. For the purposes of this
9 subsection, "premises" includes real property, houses, buildings, and
10 other structures, and motor vehicles and watercraft. A violation of
11 this subsection is a gross misdemeanor punishable as provided for in
12 chapter 9A.20 RCW.

13 (2)(a) It is unlawful for any person under the age of twenty-one
14 years to possess, consume, or otherwise acquire any liquor. A
15 violation of this subsection is a gross misdemeanor punishable as
16 provided for in chapter 9A.20 RCW.

17 (b) It is unlawful for a person under the age of twenty-one years
18 to be in a public place, or to be in a motor vehicle in a public place,
19 while exhibiting the effects of having consumed liquor. For purposes
20 of this subsection, exhibiting the effects of having consumed liquor
21 means that a person has the odor of liquor on his or her breath and
22 either: (i) Is in possession of or close proximity to a container that
23 has or recently had liquor in it; or (ii) by speech, manner,
24 appearance, behavior, lack of coordination, or otherwise, exhibits that
25 he or she is under the influence of liquor. This subsection (2)(b)
26 does not apply if the person is in the presence of a parent or guardian
27 or has consumed or is consuming liquor under circumstances described in
28 subsection (4) or (5) of this section.

29 (3) Subsections (1) and (2)(a) of this section do not apply to
30 liquor given or permitted to be given to a person under the age of
31 twenty-one years by a parent or guardian and consumed in the presence
32 of the parent or guardian. This subsection (~~shall~~) does not
33 authorize consumption or possession of liquor by a person under the age
34 of twenty-one years on any premises licensed under chapter 66.24 RCW.

35 (4) This section does not apply to liquor given for medicinal
36 purposes to a person under the age of twenty-one years by a parent,
37 guardian, physician, or dentist.

1 (5) This section does not apply to liquor given to a person under
2 the age of twenty-one years when such liquor is being used in
3 connection with religious services and the amount consumed is the
4 minimal amount necessary for the religious service.

5 (6) This section does not apply to liquor provided to students
6 under twenty-one years of age in accordance with a special permit
7 issued under RCW 66.20.010(12).

8 (7) Conviction or forfeiture of bail for a violation of this
9 section by a person under the age of twenty-one years at the time of
10 such conviction or forfeiture (~~shall not be a disqualification of~~)
11 does not disqualify that person to acquire a license to sell or
12 dispense any liquor after that person has attained the age of twenty-
13 one years.

14 NEW SECTION. Sec. 4. (1) Section 1 of this act takes effect if
15 Substitute Senate Bill No. 5774 is not enacted into law.

16 (2) Section 2 of this act takes effect if Substitute Senate Bill
17 No. 5774 is enacted into law."

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By Senator Hewitt

NOT CONSIDERED

18 On page 1, line 2 of the title, after "programs;" strike the
19 remainder of the title and insert "amending RCW 66.20.010, 66.20.010,
20 and 66.44.270; and providing contingent effective dates."

EFFECT: Changes "under twenty-one years of age" to "at least
eighteen years of age."

In addition to the community and technical colleges, adds regional
and state universities as institutions eligible for the special permit.
Broadens to include all institutional educational offerings, not

just viticulture and enology programs by adding culinary, sommelier, wine business, wine technology, beer technology, and spirituous technology programs.

Deletes the board rule development in consultation with education consortium.

Updates the provisions to sell, give, or otherwise supply liquor in accordance with the new permit language in section 1(12) of this act.

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