

SB 5213 - S AMD 73
By Senator Warnick

1 On page 1, after line 14, insert the following:

2 "Sec. 2. RCW 66.24.360 and 2012 c 2 s 104 are each amended to
3 read as follows:

4 (1) There is a grocery store license to sell wine and/or beer,
5 including without limitation strong beer at retail in original
6 containers, not to be consumed upon the premises where sold.

7 (2) There is a wine retailer reseller endorsement of a grocery
8 store license, to sell wine at retail in original containers to
9 retailers licensed to sell wine for consumption on the premises, for
10 resale at their licensed premises according to the terms of the
11 license. However, no single sale may exceed twenty-four liters,
12 unless the sale is made by a licensee that was a contract liquor
13 store manager of a contract-operated liquor store at the location
14 from which such sales are made. For the purposes of this title, a
15 grocery store license is a retail license, and a sale by a grocery
16 store licensee with a reseller endorsement is a retail sale only if
17 not for resale.

18 (3) Licensees obtaining a written endorsement from the board may
19 also sell malt liquor in kegs or other containers capable of holding
20 less than five and one-half gallons of liquid.

21 (4) The annual fee for the grocery store license is one hundred
22 fifty dollars for each store.

23 (5) The annual fee for the wine retailer reseller endorsement is
24 one hundred sixty-six dollars for each store.

25 (6) Upon approval by the board, the grocery store licensee that
26 exceeds fifty percent beer and/or wine sales or maintains an alcohol
27 inventory of not less than fifteen thousand dollars may also receive
28 an endorsement to permit the sale of beer and cider, as defined in
29 RCW 66.24.210(6), in a sanitary container brought to the premises by
30 the purchaser, or provided by the licensee or manufacturer, and
31 filled at the tap by the licensee at the time of sale by an employee
32 of the licensee holding a class 12 alcohol server permit.

33 (7) The board must issue a restricted grocery store license
34 authorizing the licensee to sell beer and only table wine, if the

1 board finds upon issuance or renewal of the license that the sale of
2 strong beer or fortified wine would be against the public interest.
3 In determining the public interest, the board must consider at least
4 the following factors:

5 (a) The likelihood that the applicant will sell strong beer or
6 fortified wine to persons who are intoxicated;

7 (b) Law enforcement problems in the vicinity of the applicant's
8 establishment that may arise from persons purchasing strong beer or
9 fortified wine at the establishment; and

10 (c) Whether the sale of strong beer or fortified wine would be
11 detrimental to or inconsistent with a government-operated or funded
12 alcohol treatment or detoxification program in the area.

13 If the board receives no evidence or objection that the sale of
14 strong beer or fortified wine would be against the public interest,
15 it must issue or renew the license without restriction, as
16 applicable. The burden of establishing that the sale of strong beer
17 or fortified wine by the licensee would be against the public
18 interest is on those persons objecting.

19 ~~((+7))~~ (8) Licensees holding a grocery store license must
20 maintain a minimum three thousand dollar inventory of food products
21 for human consumption, not including pop, beer, strong beer, or wine.

22 ~~((+8))~~ (9) A grocery store licensee with a wine retailer
23 reseller endorsement may accept delivery of wine at its licensed
24 premises or at one or more warehouse facilities registered with the
25 board, which facilities may also warehouse and distribute nonliquor
26 items, and from which it may deliver to its own licensed premises
27 and, pursuant to sales permitted by this title, to other licensed
28 premises, to other registered facilities, or to lawful purchasers
29 outside the state. Facilities may be registered and utilized by
30 associations, cooperatives, or comparable groups of grocery store
31 licensees.

32 ~~((+9))~~ (10) Upon approval by the board, the grocery store
33 licensee may also receive an endorsement to permit the international
34 export of beer, strong beer, and wine.

35 (a) Any beer, strong beer, or wine sold under this endorsement
36 must have been purchased from a licensed beer or wine distributor
37 licensed to do business within the state of Washington.

38 (b) Any beer, strong beer, and wine sold under this endorsement
39 must be intended for consumption outside the state of Washington and

1 the United States and appropriate records must be maintained by the
2 licensee.

3 (c) Any beer, strong beer, or wine sold under this endorsement
4 must be sold at a price no less than the acquisition price paid by
5 the holder of the license.

6 (d) The annual cost of this endorsement is five hundred dollars
7 and is in addition to the license fees paid by the licensee for a
8 grocery store license.

9 ~~((10))~~ (11) A grocery store licensee holding a snack bar
10 license under RCW 66.24.350 may receive an endorsement to allow the
11 sale of confections containing more than one percent but not more
12 than ten percent alcohol by weight to persons twenty-one years of age
13 or older.

14 (12) The board may adopt rules to implement this section.

15 (13) Nothing in this section limits the authority of the board to
16 regulate the sale of beer or cider or container sizes under rules
17 adopted pursuant to RCW 66.08.030."

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18 On page 1, line 1 of the title, after "growlers" strike the
19 remainder of the title and insert "; and amending RCW 66.28.360 and
20 66.24.360."

EFFECT: Authorizes certain grocery store licensees, with approval
from the liquor control board, to sell beer or cider in growlers. The
LCB may adopt rules to implement the provisions, including the size
of the containers that may be filled.

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