

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1342

64th Legislature
2015 Regular Session

Passed by the House March 3, 2015
Yeas 96 Nays 1

Speaker of the House of Representatives

Passed by the Senate April 8, 2015
Yeas 39 Nays 9

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1342** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1342

Passed Legislature - 2015 Regular Session

State of Washington

64th Legislature

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By Representatives Bergquist, Condotta, Takko, S. Hunt, Wylie, Magendanz, and Moscoso

Read first time 01/19/15. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to permitting the sale of cider in microbrewery
2 tasting rooms; and amending RCW 66.24.244.

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

4 **Sec. 1.** RCW 66.24.244 and 2014 c 105 s 3 are each amended to
5 read as follows:

6 (1) There shall be a license for microbreweries; fee to be one
7 hundred dollars for production of less than sixty thousand barrels of
8 malt liquor, including strong beer, per year.

9 (2)(a) Any microbrewery licensed under this section may also act
10 as a distributor and/or retailer for beer and strong beer of its own
11 production. (~~Strong beer may not be sold at a farmers market or
12 under any endorsement which may authorize microbreweries to sell beer
13 at farmers markets.~~)

14 (b) Any microbrewery operating as a distributor and/or retailer
15 under this subsection (~~shall~~)must comply with the applicable laws
16 and rules relating to distributors and/or retailers, except that a
17 microbrewery operating as a distributor may maintain a warehouse off
18 the premises of the microbrewery for the distribution of beer
19 provided that:

20 (~~(a)~~)(i) The warehouse has been approved by the board under RCW
21 66.24.010; and

1 ~~((b))~~(ii) The number of warehouses off the premises of the
2 microbrewery does not exceed one.

3 (c) A microbrewery holding a spirits, beer, and wine restaurant
4 license may sell beer of its own production for off-premises
5 consumption from its restaurant premises in kegs or in a sanitary
6 container brought to the premises by the purchaser or furnished by
7 the licensee and filled at the tap by the licensee at the time of
8 sale.

9 (3) Any microbrewery licensed under this section may also sell
10 from its premises for on-premises and off-premises consumption:

11 (a) Beer produced by another microbrewery or a domestic brewery
12 ~~((for on and off-premises consumption from its premises))~~ as long as
13 the other breweries' brands do not exceed twenty-five percent of the
14 microbrewery's on-tap ~~((offering of its own brands))~~ offerings; or

15 (b) Cider produced by a domestic winery.

16 (4) The board may issue up to two retail licenses allowing a
17 microbrewery to operate an on or off-premises ~~((off-premises))~~
18 tavern, beer and/or wine restaurant, or spirits, beer, and wine
19 restaurant.

20 (5) A microbrewery that holds a tavern license, spirits, beer,
21 and wine restaurant license, or a beer and/or wine restaurant license
22 ~~((shall))~~ holds the same privileges and endorsements as permitted
23 under RCW 66.24.320, 66.24.330, and 66.24.420.

24 (6)(a) A microbrewery licensed under this section may apply to
25 the board for an endorsement to sell bottled beer of its own
26 production at retail for off-premises consumption at a qualifying
27 farmers market. The annual fee for this endorsement is seventy-five
28 dollars. However, strong beer may not be sold at a farmers market or
29 under any endorsement which may authorize microbreweries to sell beer
30 at farmers markets.

31 (b) For each month during which a microbrewery will sell beer at
32 a qualifying farmers market, the microbrewery must provide the board
33 or its designee a list of the dates, times, and locations at which
34 bottled beer may be offered for sale. This list must be received by
35 the board before the microbrewery may offer beer for sale at a
36 qualifying farmers market.

37 (c) Any person selling or serving beer must obtain a class 12 or
38 class 13 alcohol server permit.

39 (d) The beer sold at qualifying farmers markets must be produced
40 in Washington.

1 (e) Each approved location in a qualifying farmers market is
2 deemed to be part of the microbrewery license for the purpose of this
3 title. The approved locations under an endorsement granted under this
4 subsection (6) include tasting or sampling privileges subject to the
5 conditions pursuant to RCW 66.24.175. The microbrewery may not store
6 beer at a farmers market beyond the hours that the microbrewery
7 offers bottled beer for sale. The microbrewery may not act as a
8 distributor from a farmers market location.

9 (f) Before a microbrewery may sell bottled beer at a qualifying
10 farmers market, the farmers market must apply to the board for
11 authorization for any microbrewery with an endorsement approved under
12 this subsection (6) to sell bottled beer at retail at the farmers
13 market. This application (~~shall~~)must include, at a minimum: (i) A
14 map of the farmers market showing all booths, stalls, or other
15 designated locations at which an approved microbrewery may sell
16 bottled beer; and (ii) the name and contact information for the on-
17 site market managers who may be contacted by the board or its
18 designee to verify the locations at which bottled beer may be sold.
19 Before authorizing a qualifying farmers market to allow an approved
20 microbrewery to sell bottled beer at retail at its farmers market
21 location, the board (~~shall~~)must notify the persons or entities of
22 the application for authorization pursuant to RCW 66.24.010 (8) and
23 (9). An authorization granted under this subsection (6)(f) may be
24 withdrawn by the board for any violation of this title or any rules
25 adopted under this title.

26 (g) The board may adopt rules establishing the application and
27 approval process under this section and any additional rules
28 necessary to implement this section.

29 (h) For the purposes of this subsection (6):

30 (i) "Qualifying farmers market" has the same meaning as defined
31 in RCW 66.24.170.

32 (ii) "Farmer" means a natural person who sells, with or without
33 processing, agricultural products that he or she raises on land he or
34 she owns or leases in this state or in another state's county that
35 borders this state.

36 (iii) "Processor" means a natural person who sells processed food
37 that he or she has personally prepared on land he or she owns or
38 leases in this state or in another state's county that borders this
39 state.

1 (iv) "Reseller" means a natural person who buys agricultural
2 products from a farmer and resells the products directly to the
3 consumer.

4 (7) Any microbrewery licensed under this section may
5 contract-produce beer for another microbrewer. This contract-
6 production is not a sale for the purposes of RCW 66.28.170 and
7 66.28.180.

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