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**SUBSTITUTE SENATE BILL 5280**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senate Commerce & Labor (originally sponsored by Senators Kohl-Welles, Braun, and Warnick)

READ FIRST TIME 02/20/15.

1       AN ACT Relating to the sale of beer and cider by grocery store  
2 licensees; and amending RCW 66.24.360.

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

4       **Sec. 1.** RCW 66.24.360 and 2012 c 2 s 104 are each amended to  
5 read as follows:

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

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

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

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

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

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

16 (7) The board must issue a restricted grocery store license  
17 authorizing the licensee to sell beer and only table wine, if the  
18 board finds upon issuance or renewal of the license that the sale of  
19 strong beer or fortified wine would be against the public interest.  
20 In determining the public interest, the board must consider at least  
21 the following factors:

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

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

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

30 If the board receives no evidence or objection that the sale of  
31 strong beer or fortified wine would be against the public interest,  
32 it must issue or renew the license without restriction, as  
33 applicable. The burden of establishing that the sale of strong beer  
34 or fortified wine by the licensee would be against the public  
35 interest is on those persons objecting.

36 ((+7)) (8) Licensees holding a grocery store license must  
37 maintain a minimum three thousand dollar inventory of food products  
38 for human consumption, not including pop, beer, strong beer, or wine.

39 ((+8)) (9) A grocery store licensee with a wine retailer  
40 reseller endorsement may accept delivery of wine at its licensed

1 premises or at one or more warehouse facilities registered with the  
2 board, which facilities may also warehouse and distribute nonliquor  
3 items, and from which it may deliver to its own licensed premises  
4 and, pursuant to sales permitted by this title, to other licensed  
5 premises, to other registered facilities, or to lawful purchasers  
6 outside the state. Facilities may be registered and utilized by  
7 associations, cooperatives, or comparable groups of grocery store  
8 licensees.

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

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

15 (b) Any beer, strong beer, and wine sold under this endorsement  
16 must be intended for consumption outside the state of Washington and  
17 the United States and appropriate records must be maintained by the  
18 licensee.

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

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

25 ~~((+10))~~ (11) A grocery store licensee holding a snack bar  
26 license under RCW 66.24.350 may receive an endorsement to allow the  
27 sale of confections containing more than one percent but not more  
28 than ten percent alcohol by weight to persons twenty-one years of age  
29 or older.

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

31 (13) Nothing in this section limits the authority of the board to  
32 regulate the sale of beer or cider or container sizes under rules  
33 adopted pursuant to RCW 66.08.030.

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