

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1563

Chapter 112, Laws of 2019

66th Legislature
2019 Regular Session

LIQUOR PRIVILEGES--STUDENTS

EFFECTIVE DATE: July 28, 2019

Passed by the House March 1, 2019
Yeas 89 Nays 6

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 12, 2019
Yeas 43 Nays 1

CYRUS HABIB

President of the Senate

Approved April 23, 2019 4:13 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1563** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 24, 2019

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1563

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Representatives Jenkin, Blake, Vick, Dent, Young, Kloba, MacEwen,
and Wylie

Read first time 01/24/19. Referred to Committee on Commerce &
Gaming.

1 AN ACT Relating to liquor-related privileges of students who are
2 enrolled in certain degree programs; and amending RCW 66.20.010 and
3 66.44.318.

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

5 **Sec. 1.** RCW 66.20.010 and 2017 c 250 s 1 are each amended to
6 read as follows:

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

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

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

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

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

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

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

26 (7) Where the application is for a special permit by an
27 authorized representative of a military installation operated by or
28 for any of the armed forces within the geographical boundaries of the
29 state of Washington, a special permit to purchase liquor for use on
30 such military installation;

31 (8) Where the application is for a special permit by a vendor
32 that manufactures or sells a product which cannot be effectively
33 presented to potential buyers without serving it with liquor or by a
34 manufacturer, importer, or distributor, or representative thereof, to
35 serve liquor without charge to delegates and guests at a convention
36 of a trade association composed of licensees of the board, when the
37 said liquor is served in a hospitality room or from a booth in a
38 board-approved suppliers' display room at the convention, and when
39 the liquor so served is for consumption in the said hospitality room
40 or display room during the convention, anything in this title to the

1 contrary notwithstanding. Any such spirituous liquor must be
2 purchased from a spirits retailer or distributor, and any such liquor
3 is subject to the taxes imposed by RCW 82.08.150, 66.24.290, and
4 66.24.210;

5 (9) Where the application is for a special permit by a
6 manufacturer, importer, or distributor, or representative thereof, to
7 donate liquor for a reception, breakfast, luncheon, or dinner for
8 delegates and guests at a convention of a trade association composed
9 of licensees of the board, when the liquor so donated is for
10 consumption at the said reception, breakfast, luncheon, or dinner
11 during the convention, anything in this title to the contrary
12 notwithstanding. Any such spirituous liquor must be purchased from a
13 spirits retailer or distributor, and any such liquor is subject to
14 the taxes imposed by RCW 82.08.150, 66.24.290, and 66.24.210;

15 (10) Where the application is for a special permit by a
16 manufacturer, importer, or distributor, or representative thereof, to
17 donate and/or serve liquor without charge to delegates and guests at
18 an international trade fair, show, or exposition held under the
19 auspices of a federal, state, or local governmental entity or
20 organized and promoted by a nonprofit organization, anything in this
21 title to the contrary notwithstanding. Any such spirituous liquor
22 must be purchased from a liquor spirits retailer or distributor, and
23 any such liquor is subject to the taxes imposed by RCW 82.08.150,
24 66.24.290, and 66.24.210;

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

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

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

38 (b) The person who is permitted to taste under this subsection is
39 enrolled as a student in a required or elective class that is part of
40 a culinary, sommelier, wine business, enology, viticulture, wine

1 technology, beer technology, or spirituous technology-related degree
2 program;

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

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

12 (e) The enrolled student permitted to taste the alcoholic
13 beverages does not purchase the alcoholic beverages; ~~((and))~~

14 (f) The enrolled student permitted to taste the alcoholic
15 beverages conducts the tasting either: (i) On the premises of the
16 college or university at which the student is enrolled; or (ii) while
17 on a field trip to a grape-growing area or production facility so
18 long as the enrolled student is accompanied by a faculty or staff
19 member with a class 12 or 13 alcohol server permit who supervises as
20 provided in (d) of this subsection and all other requirements of this
21 subsection (12) are met; and

22 (g) The permit fee for the special permit provided for in this
23 subsection (12) must be waived by the board;

24 (13) Where the application is for a special permit by a
25 distillery or craft distillery for an event not open to the general
26 public to be held or conducted at a specific place, including at the
27 licensed premise of the applying distillery or craft distillery, upon
28 a specific date for the purpose of tasting and selling spirits of its
29 own production. The distillery or craft distillery must obtain a
30 permit for a fee of ten dollars per event. An application for the
31 permit must be submitted for private banquet permits prior to the
32 event and, once issued, must be posted in a conspicuous place at the
33 premises for which the permit was issued during all times the permit
34 is in use. No licensee may receive more than twelve permits under
35 this subsection (13) each year;

36 (14) Where the application is for a special permit by a
37 manufacturer of wine for an event not open to the general public to
38 be held or conducted at a specific place upon a specific date for the
39 purpose of tasting and selling wine of its own production. The winery
40 must obtain a permit for a fee of ten dollars per event. An

1 application for the permit must be submitted at least ten days before
2 the event and once issued, must be posted in a conspicuous place at
3 the premises for which the permit was issued during all times the
4 permit is in use. No more than twelve events per year may be held by
5 a single manufacturer under this subsection;

6 (15) Where the application is for a special permit by a
7 manufacturer of beer for an event not open to the general public to
8 be held or conducted at a specific place upon a specific date for the
9 purpose of tasting and selling beer of its own production. The
10 brewery or microbrewery must obtain a permit for a fee of ten dollars
11 per event. An application for the permit must be submitted at least
12 ten days before the event and, once issued, must be posted in a
13 conspicuous place at the premises for which the permit was issued
14 during all times the permit is in use. No more than twelve events per
15 year may be held by a single manufacturer under this subsection;

16 (16) Where the application is for a special permit by an
17 individual or business to sell a private collection of wine or
18 spirits to an individual or business. The seller must obtain a permit
19 at least five business days before the sale, for a fee of twenty-five
20 dollars per sale. The seller must provide an inventory of products
21 sold and the agreed price on a form provided by the board. The seller
22 shall submit the report and taxes due to the board no later than
23 twenty calendar days after the sale. A permit may be issued under
24 this section to allow the sale of a private collection to licensees,
25 but may not be issued to a licensee to sell to a private individual
26 or business which is not otherwise authorized under the license held
27 by the seller. If the liquor is purchased by a licensee, all sales
28 are subject to taxes assessed as on liquor acquired from any other
29 source. The board may adopt rules to implement this section;

30 (17)(a) A special permit, where the application is for a special
31 permit by a nonprofit organization to sell wine through an auction,
32 not open to the public, to be conducted at a specific place, upon a
33 specific date, and to allow wine tastings at the auction of the wine
34 to be auctioned.

35 (b) A permit holder under this subsection (17) may at the
36 specified event:

37 (i) Sell wine by auction for off-premises consumption; and

38 (ii) Allow tastings of samples of the wine to be auctioned at the
39 event.

1 (c) An application is required for a permit under this subsection
2 (17). The application must be submitted prior to the event and once
3 issued must be posted in a conspicuous place at the premises for
4 which the permit was issued during all times the permit is in use.

5 (d) Wine from more than one winery may be sold at the auction;
6 however, each winery selling wine at the auction must be listed on
7 the permit application. Only a single application form may be
8 required for each auction, regardless of the number of wineries that
9 are selling wine at the auction. The total fee per event for a permit
10 issued under this subsection (17) is twenty-five dollars multiplied
11 by the number of wineries that are selling wine at the auction.

12 (e) For the purposes of this subsection (17), "nonprofit
13 organization" means an entity incorporated as a nonprofit
14 organization under Washington state law.

15 (f) The board may adopt rules to implement this section.

16 **Sec. 2.** RCW 66.44.318 and 2015 c 33 s 1 are each amended to read
17 as follows:

18 (1) Except as provided in this section, nothing is construed to
19 permit a nonretail class liquor licensee's employee or intern between
20 the ages of eighteen and twenty-one years to handle, transport, or
21 otherwise possess liquor.

22 (2) Licensees holding nonretail class liquor licenses are
23 permitted to allow their employees between the ages of eighteen and
24 twenty-one years to stock, merchandise, and handle liquor on or about
25 the:

26 (a) Nonretail premises if there is an adult twenty-one years of
27 age or older on duty supervising such activities on the premises; and

28 (b) Retail licensee's premises, except between 11:00 p.m. and
29 4:00 a.m., as long as there is an adult twenty-one years of age or
30 older, employed by the retail licensee, and present at the retail
31 licensee's premises during the activities described in this
32 subsection (2).

33 (3) Any act or omission of the nonretail class liquor licensee's
34 employee occurring at or about the retail licensee's premises, which
35 violates any provision of this title, is the sole responsibility of
36 the nonretail class liquor licensee.

37 (4) Nothing in this section absolves the retail licensee from
38 responsibility for the acts or omissions of its own employees who
39 violate any provision of this title.

1 (5) (a) Licensees holding a domestic winery license are permitted
2 to allow their interns who are between the ages of eighteen and
3 twenty-one years old to engage in wine-production related work at the
4 domestic winery's licensed location, so long as the intern is
5 enrolled as a student:

6 (i) At a community or technical college, regional university, or
7 state university with a special permit issued in accordance with RCW
8 66.20.010; and

9 (ii) In a required or elective class as part of a degree program
10 identified in RCW 66.20.010(12) (b).

11 (b) Any act or omission of the domestic winery's intern occurring
12 at or about the domestic winery's premises, which violates any
13 provision of this title, is the sole responsibility of the domestic
14 winery.

Passed by the House March 1, 2019.

Passed by the Senate April 12, 2019.

Approved by the Governor April 23, 2019.

Filed in Office of Secretary of State April 24, 2019.

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