

# HOUSE BILL REPORT

## HB 3154

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### As Passed Legislature

**Title:** An act relating to ensuring that brewers may sell beer of their own production from their restaurant premises.

**Brief Description:** Concerning the retail sale of beer.

**Sponsors:** By Representatives Condotta, Wood and Newhouse.

#### Brief History:

##### Committee Activity:

Commerce & Labor: 1/30/06, 2/2/06 [DP].

##### Floor Activity:

Passed House: 2/10/06, 98-0.

Passed Senate: 3/2/06, 44-1.

Passed Legislature.

#### Brief Summary of Bill

- Allows breweries that hold spirits, beer, and wine restaurant licenses to sell beer of their own production for off-premises consumption from their restaurants.
- Specifies that beer may be sold in kegs or in other sanitary containers, such as growlers, that are filled at taps at the time of sale.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass. Signed by 9 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Crouse, Holmquist, Hudgins, Kenney and McCoy.

**Staff:** Jill Reinmuth (786-7134).

#### Background:

Domestic breweries and microbreweries ("breweries") are permitted to act as retailers for beer of their own production. Breweries are not prohibited from being licensed as a spirits, beer, and wine restaurant for the purpose of selling liquor for on-premises consumption at a restaurant on property on which the brewery's primary manufacturing facility is located or on contiguous property. Breweries acting as retailers must comply with laws and rules applicable to retailers. For example, spirits, beer, and wine restaurant licensees may not sell alcohol for

off-premises consumption. Consequently, breweries acting as spirits, beer, and wine licensees may not sell beer of their own production from taps for off-premises consumption.

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**Summary of Bill:**

Domestic breweries and microbreweries that hold spirits, beer, and wine restaurant licenses may sell beer of their own production for off-premises consumption from their restaurants. Beer may be sold in kegs or in other sanitary containers, such as growlers, that are filled at taps at the time of sale.

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**Appropriation:** None.

**Fiscal Note:** Requested on January 26, 2006.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (In support) This bill is directed at breweries that do their own production. Under current law, domestic breweries and microbreweries can make off-premises sales, but only from their manufacturing facilities and not from their restaurants. This bill would allow these breweries to have a "to go" privilege. Customers in the restaurant could make purchases for off-premises consumption.

(Neutral) Under current law, spirits, beer, and wine licensees may not make sales for off-premises consumption. Brew pubs may only sell from their manufacturing premises. This bill would allow brew pubs to sell growlers and the like from their restaurant premises. We do not see a problem with that.

**Testimony Against:** None.

**Persons Testifying:** (In support) Representative Cary Condotta, prime sponsor; and Michael Transue, Washington Restaurant Association.

(Neutral) Rick Garza, Liquor Control Board.

**Persons Signed In To Testify But Not Testifying:** None.