

SSB 5156 - H COMM AMD

By Committee on State Government & Tribal Affairs

ADOPTED 04/11/2011

1 On page 11, after line 15, insert the following:

2 "Sec. 6. RCW 66.28.290 and 2009 c 506 s 3 are each amended to read
3 as follows:

4 (1) Notwithstanding any prohibitions and restrictions contained in
5 this title, it shall be lawful for an industry member or affiliate to
6 have a direct or indirect financial interest in another industry member
7 or a retailer, and for a retailer or affiliate to have a direct or
8 indirect financial interest in an industry member unless such interest
9 has resulted or is more likely than not to result in undue influence
10 over the retailer or the industry member or has resulted or is more
11 likely than not to result in an adverse impact on public health and
12 safety. The structure of any such financial interest must be
13 consistent with subsection (2) of this section.

14 (2) Subject to subsection (1) of this section and except as
15 provided in RCW 66.28.295:

16 (a) An industry member in whose name a license or certificate of
17 approval has been issued pursuant to this title may wholly own or hold
18 a financial interest in a separate legal entity licensed pursuant to
19 RCW 66.24.320 through 66.24.570 and section 1 of this act, but may not
20 have such a license issued in its name; and

21 (b) A retailer in whose name a license has been issued pursuant to
22 this title may wholly own or hold a financial interest in a separate
23 legal entity licensed or holding a certificate of approval pursuant to
24 RCW 66.24.170, 66.24.206, 66.24.240, 66.24.244, 66.24.270(2),
25 66.24.200, or 66.24.250, but may not have such a license or certificate
26 of approval issued in its name; and

27 (c) A supplier in whose name a license or certificate of approval
28 has been issued pursuant to this title may wholly own or hold a
29 financial interest in a separate legal entity licensed as a distributor

1 or importer under this title, but such supplier may not have a license
2 as a distributor or importer issued in its own name; and

3 (d) A distributor or importer in whose name a license has been
4 issued pursuant to this title may wholly own or hold a financial
5 interest in a separate legal entity licensed or holding a certificate
6 of approval as a supplier under this title, but such distributor or
7 importer may not have a license or certificate of approval as a
8 supplier issued in its own name."

9 Renumber the remaining sections consecutively and correct any
10 internal references accordingly.

11 Correct the title.

EFFECT: Adds the VIP airport lounge operator license to the list
of retailer licenses in which an industry member (manufacturer,
distributor, and importer) may own an interest under a tied house law.

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