**5665.E AMH COG H2446.1 - NOT FOR FLOOR USE**

**ESB 5665** - H COMM AMD

By Committee on Commerce & Gaming

**ADOPTED AS AMENDED 04/11/2017**

Strike everything after the enacting clause and insert the following:

"**Sec.**  RCW 66.28.270 and 2009 c 373 s 11 are each amended to read as follows:

(1) Nothing in this chapter prohibits the use of checks, credit or debit cards, prepaid accounts, electronic funds transfers, and other similar methods as approved by the board, as cash payments for purposes of this title. Electronic ((~~fund[s]~~)) funds transfers must be: ((~~(1)~~)) (a) Voluntary; ((~~(2)~~)) (b) conducted pursuant to a prior written agreement of the parties that includes a provision that the purchase be initiated by an irrevocable invoice or sale order before the time of delivery; ((~~(3)~~)) (c) initiated by the retailer, manufacturer, importer, or distributor no later than the first business day following delivery; and ((~~(4)~~)) (d) completed as promptly as is reasonably practical, and in no event((~~,~~)) later than five business days following delivery.

(2) Any person licensed as a distributor of beer, spirits, and/or wine may pass credit card fees on to a purchaser licensed to sell beer, spirits, and/or wine for consumption on the licensed premises, if the decision to use a credit card is entirely voluntary and the credit card fees are set out as a separate line item on the distributor's invoice. Nothing in this section requires the use of a credit card by any licensee. The credit card fee authorized under this section may not exceed the actual fee imposed by the credit card issuer."

Correct the title.

EFFECT: Limits the amount of the credit card fee that may be imposed to the actual fee charged by the credit card issuer for the transaction.