

ESSB 6346 - H COMM AMD

By Committee on Appropriations

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 66.24.244 and 2015 c 42 s 1 are each amended to
4 read as follows:

5 (1) There shall be a license for microbreweries; fee to be one
6 hundred dollars for production of less than sixty thousand barrels of
7 malt liquor, including strong beer, per year.

8 (2)(a) Any microbrewery licensed under this section may also act
9 as a distributor and/or retailer for beer and strong beer of its own
10 production.

11 (b) Any microbrewery operating as a distributor and/or retailer
12 under this subsection must comply with the applicable laws and rules
13 relating to distributors and/or retailers, except that a microbrewery
14 operating as a distributor may maintain a warehouse off the premises
15 of the microbrewery for the distribution of beer provided that:

16 (i) The warehouse has been approved by the board under RCW
17 66.24.010; and

18 (ii) The number of warehouses off the premises of the
19 microbrewery does not exceed one.

20 (c) Any person selling or serving beer, cider, or wine at a
21 microbrewery for on-premises consumption must obtain a class 12 or
22 class 13 alcohol server permit.

23 (d) A microbrewery holding a spirits, beer, and wine restaurant
24 license may sell beer of its own production for off-premises
25 consumption from its restaurant premises in kegs or in a sanitary
26 container brought to the premises by the purchaser or furnished by
27 the licensee and filled at the tap by the licensee at the time of
28 sale.

29 (3) Any microbrewery licensed under this section may also sell
30 from its premises for on-premises and off-premises consumption:

1 (a) Beer produced by another microbrewery or a domestic brewery
2 as long as the other breweries' brands do not exceed twenty-five
3 percent of the microbrewery's on-tap offerings; or

4 (b) Cider produced by a domestic winery.

5 (4) A microbrewery licensed under this section may apply to the
6 board for an endorsement to sell glasses of wine produced by a
7 domestic winery for on-premises consumption. The annual fee for this
8 endorsement is one hundred twenty-five dollars.

9 (5) The board may issue up to two retail licenses allowing a
10 microbrewery to operate an on or off-premises tavern, beer and/or
11 wine restaurant, or spirits, beer, and wine restaurant.

12 ((+5)) (6) A microbrewery that holds a tavern license, spirits,
13 beer, and wine restaurant license, or a beer and/or wine restaurant
14 license holds the same privileges and endorsements as permitted under
15 RCW 66.24.320, 66.24.330, and 66.24.420.

16 ((+6)) (7)(a) A microbrewery licensed under this section may
17 apply to the board for an endorsement to sell bottled beer of its own
18 production at retail for off-premises consumption at a qualifying
19 farmers market. The annual fee for this endorsement is seventy-five
20 dollars. However, strong beer may not be sold at a farmers market or
21 under any endorsement which may authorize microbreweries to sell beer
22 at farmers markets.

23 (b) For each month during which a microbrewery will sell beer at
24 a qualifying farmers market, the microbrewery must provide the board
25 or its designee a list of the dates, times, and locations at which
26 bottled beer may be offered for sale. This list must be received by
27 the board before the microbrewery may offer beer for sale at a
28 qualifying farmers market.

29 (c) Any person selling or serving beer must obtain a class 12 or
30 class 13 alcohol server permit.

31 (d) The beer sold at qualifying farmers markets must be produced
32 in Washington.

33 (e) Each approved location in a qualifying farmers market is
34 deemed to be part of the microbrewery license for the purpose of this
35 title. The approved locations under an endorsement granted under this
36 subsection ((+6)) (7) include tasting or sampling privileges subject
37 to the conditions pursuant to RCW 66.24.175. The microbrewery may not
38 store beer at a farmers market beyond the hours that the microbrewery
39 offers bottled beer for sale. The microbrewery may not act as a
40 distributor from a farmers market location.

1 (f) Before a microbrewery may sell bottled beer at a qualifying
2 farmers market, the farmers market must apply to the board for
3 authorization for any microbrewery with an endorsement approved under
4 this subsection (~~((6))~~) (7) to sell bottled beer at retail at the
5 farmers market. This application must include, at a minimum: (i) A
6 map of the farmers market showing all booths, stalls, or other
7 designated locations at which an approved microbrewery may sell
8 bottled beer; and (ii) the name and contact information for the on-
9 site market managers who may be contacted by the board or its
10 designee to verify the locations at which bottled beer may be sold.
11 Before authorizing a qualifying farmers market to allow an approved
12 microbrewery to sell bottled beer at retail at its farmers market
13 location, the board must notify the persons or entities of the
14 application for authorization pursuant to RCW 66.24.010 (8) and (9).
15 An authorization granted under this subsection (~~((6))~~) (7)(f) may be
16 withdrawn by the board for any violation of this title or any rules
17 adopted under this title.

18 (g) The board may adopt rules establishing the application and
19 approval process under this section and any additional rules
20 necessary to implement this section.

21 (h) For the purposes of this subsection (~~((6))~~) (7):

22 (i) "Qualifying farmers market" has the same meaning as defined
23 in RCW 66.24.170.

24 (ii) "Farmer" means a natural person who sells, with or without
25 processing, agricultural products that he or she raises on land he or
26 she owns or leases in this state or in another state's county that
27 borders this state.

28 (iii) "Processor" means a natural person who sells processed food
29 that he or she has personally prepared on land he or she owns or
30 leases in this state or in another state's county that borders this
31 state.

32 (iv) "Reseller" means a natural person who buys agricultural
33 products from a farmer and resells the products directly to the
34 consumer.

35 (~~((7))~~) (8) Any microbrewery licensed under this section may
36 contract-produce beer for another microbrewer. This contract-
37 production is not a sale for the purposes of RCW 66.28.170 and
38 66.28.180.

1 NEW SECTION. **Sec. 2.** This act takes effect October 1, 2018."

2 Correct the title.

--- END ---