

SSB 5781 - S AMD TO S AMD (S-2005.2/17) 92
By Senator Schoesler

ADOPTED 03/06/2017

1 On page 5, line 28 of the amendment, after "package;" strike "or"

2 On page 5, line 29 of the amendment, after "(c)" insert "Donated
3 to the organization by any person, industry member, or entity so long
4 as the donor or the organization pays any fees established by RCW
5 66.24.630(4), taxes imposed on a retail sale under RCW 82.08.150, or
6 other sales taxes that would be paid, if the sale were made to a
7 consumer; or

8 (d)"

9 On page 5, after line 37 of the amendment, insert the following:

10 "Sec. 3. RCW 66.28.040 and 2016 c 235 s 15 are each amended to
11 read as follows:

12 Except as provided under section 2 of this act, or permitted by
13 the board under RCW 66.20.010, no domestic brewery, microbrewery,
14 distributor, distiller, domestic winery, importer, rectifier,
15 certificate of approval holder, or other manufacturer of liquor may,
16 within the state of Washington, give to any person any liquor; but
17 nothing in this section nor in RCW 66.28.305 prevents a domestic
18 brewery, microbrewery, distributor, domestic winery, distiller,
19 certificate of approval holder, or importer from furnishing samples
20 of beer, wine, or spirituous liquor to authorized licensees for the
21 purpose of negotiating a sale, in accordance with regulations adopted
22 by the liquor and cannabis board, provided that the samples are
23 subject to taxes imposed by RCW 66.24.290 and 66.24.210; nothing in
24 this section prevents a domestic brewery, microbrewery, domestic
25 winery, distillery, certificate of approval holder, or distributor
26 from furnishing beer, wine, or spirituous liquor for instructional
27 purposes under RCW 66.28.150; nothing in this section prevents a
28 domestic winery, certificate of approval holder, or distributor from
29 furnishing wine without charge, subject to the taxes imposed by RCW
30 66.24.210, to a not-for-profit group organized and operated solely
31 for the purpose of enology or the study of viticulture which has been

1 in existence for at least six months and that uses wine so furnished
2 solely for such educational purposes or a domestic winery, or an out-
3 of-state certificate of approval holder, from furnishing wine without
4 charge or a domestic brewery, or an out-of-state certificate of
5 approval holder, from furnishing beer without charge, subject to the
6 taxes imposed by RCW 66.24.210 or 66.24.290, or a domestic distiller
7 licensed under RCW 66.24.140 or an accredited representative of a
8 distiller, manufacturer, importer, or distributor of spirituous
9 liquor licensed under RCW 66.24.310, from furnishing spirits without
10 charge, to a nonprofit charitable corporation or association exempt
11 from taxation under 26 U.S.C. Sec. 501(c)(3) or (6) of the internal
12 revenue code of 1986 for use consistent with the purpose or purposes
13 entitling it to such exemption; nothing in this section prevents a
14 domestic brewery or microbrewery from serving beer without charge, on
15 the brewery premises; nothing in this section prevents donations of
16 wine for the purposes of RCW 66.12.180; nothing in this section
17 prevents a domestic winery from serving wine without charge, on the
18 winery premises; and nothing in this section prevents a craft
19 distillery from serving spirits, on the distillery premises subject
20 to RCW 66.24.145."

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21 On page 6, line 3 of the title amendment, after "organizations;"
22 insert "amending RCW 66.28.040;"

EFFECT: Allows for the donation of liquor to a not-for-profit society or charitable organization if the donor or organization pays all the fees and taxes that would be charged if the sale was made to a consumer.

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