
SENATE BILL 5537

State of Washington

65th Legislature

2017 Regular Session

By Senators King and Keiser

Read first time 01/27/17. Referred to Committee on Commerce, Labor & Sports.

1 AN ACT Relating to authorizing licensed spirits and wine
2 distributors to sell spirits and wine products to their employees in
3 certain circumstances; and adding a new section to chapter 66.28 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 66.28
6 RCW to read as follows:

7 (1) A person holding a spirits distributor license issued
8 pursuant to RCW 66.24.055 may sell spirits directly to bona fide,
9 full-time employees, subject to the following requirements:

10 (a) No spirits may be sold under this section unless they are in
11 such condition that they cannot reasonably be sold in the normal
12 course of business, such as, for example, because of damage to the
13 labels on individual bottles;

14 (b) No spirits may be sold under this section for less than the
15 spirits distributor licensee's cost of acquisition;

16 (c) All sales of spirits made under this section are subject to
17 the distributor license issuance fee established by RCW 66.24.055(3),
18 and subject to the same taxes that would be applicable if the sale
19 were made to a person holding a spirits, beer, and wine restaurant
20 license issued pursuant to RCW 66.24.400 or another retail license
21 allowing sales of spirits for on-premises consumption;

1 (d) No spirits may be sold under this section to a person who has
2 been employed by the spirits distributor licensee for less than
3 ninety days at the time of the sale or who is under the age of
4 twenty-one;

5 (e) No person purchasing spirits under this section may sell such
6 spirits by the drink or otherwise to a third person, or otherwise
7 dispose of all or any part of such spirits in any manner or for any
8 purpose other than personal use; and

9 (f) No spirits may be sold under this section by a person holding
10 any license other than a spirits distributor license, whether or not
11 the license held by such person permits the sale of spirits to
12 consumers.

13 (2) A person holding a wine distributor license issued pursuant
14 to RCW 66.24.200 may sell wine directly to bona fide, full-time
15 employees, subject to the following requirements:

16 (a) No wine may be sold under this section unless it is in such
17 condition that it cannot reasonably be sold in the normal course of
18 business, such as, for example, because of damage to the labels on
19 individual bottles;

20 (b) No wine may be sold under this section for less than the wine
21 distributor licensee's cost of acquisition;

22 (c) All sales of wine made under this section are subject to the
23 same taxes that would be applicable if the sale were made to a person
24 holding a spirits, beer, and wine restaurant license issued pursuant
25 to RCW 66.24.400 or another retail license allowing sales of wine for
26 on-premises consumption;

27 (d) No wine may be sold under this section to a person who has
28 been employed by the wine distributor licensee for less than ninety
29 days at the time of the sale or who is under the age of twenty-one;

30 (e) No person purchasing wine under this section may sell such
31 wine by the glass or otherwise to a third person, or otherwise
32 dispose of all or any part of such wine in any manner or for any
33 purpose other than personal use; and

34 (f) No wine may be sold under this section by a person holding
35 any license other than a wine distributor license, whether or not the
36 license held by such person permits the sale of wine to consumers.

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