

**SSB 5448** - H COMM AMD

By Committee on Regulated Substances & Gaming

**ADOPTED 04/10/2023**

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

3 "**Sec. 1.** 2021 c 48 s 2 (uncodified) is amended to read as  
4 follows:

5 (1) ~~((The board must implement the provisions of this section as~~  
6 ~~expeditiously as possible. Liquor licensees may conduct activities~~  
7 ~~authorized under this section before completion by the board of~~  
8 ~~actions the board plans to take in order to implement this act, such~~  
9 ~~as adoption of rules or completion of information system changes~~  
10 ~~necessary to allow licensees to apply for required endorsements.~~  
11 ~~However, licensees must comply with board rules when they take~~  
12 ~~effect.~~

13 ~~(2) The))~~ (a) Except as provided in (b) of this subsection, the  
14 following licensees may sell alcohol products at retail for  
15 ~~((curbside and))~~ takeout ~~((service))~~ or delivery or both under liquor  
16 and cannabis board licenses and endorsements: Beer and wine  
17 restaurants; spirits, beer, and wine restaurants; taverns; domestic  
18 wineries; domestic breweries and microbreweries; distilleries; snack  
19 bars; nonprofit arts licensees; and caterers.

20 (b) No alcohol products may be sold by delivery under this  
21 section after July 1, 2025.

22 ~~((3))~~ (2) Spirits, beer, and wine restaurant licensees may sell  
23 premixed cocktails ~~((and cocktail kits))~~ for takeout ~~((or curbside~~  
24 ~~service))~~ and, until July 1, 2025, for delivery. The board may  
25 establish by rule the manner in which premixed cocktails for off-  
26 premises consumption must be provided. This subsection does not  
27 authorize the sale of ~~((full))~~ bottles of spirits by licensees for  
28 off-premises consumption ~~((, with the exception of mini-bottles as~~  
29 ~~part of cocktail kits. Mini-bottle sales authorized under this~~  
30 ~~subsection as part of cocktail kits are exempt from the spirits~~

1 ~~license issuance fee under RCW 66.24.630(4)(a) and the tax on each~~  
2 ~~retail sale of spirits under RCW 82.08.150).~~

3 ~~((4))~~ (3) Spirits, beer, and wine restaurant licensees may sell  
4 wine by the glass or premixed wine and spirits cocktails for takeout  
5 ~~((or curbside service))~~ and ~~((for))~~, until July 1, 2025, delivery.  
6 Beer and wine restaurant licensees may sell wine or premixed wine  
7 drinks by the glass for takeout ~~((or curbside service))~~ and ~~((for))~~,  
8 until July 1, 2025, delivery. The board may establish by rule the  
9 manner in which wine by the glass and premixed cocktails for off-  
10 premises consumption must be provided.

11 ~~((5))~~ (4) Licensees that were authorized by statute or rule  
12 before January 1, 2020, to sell growlers for on-premises consumption  
13 may sell growlers for off-premises consumption through ~~((curbside,))~~  
14 takeout~~((r))~~ or, until July 1, 2025, delivery ~~((service))~~. Sale of  
15 growlers under this subsection must meet federal alcohol and tobacco  
16 tax and trade bureau requirements.

17 ~~((6))~~ (5)(a) Licensees must obtain from the board an  
18 endorsement to their license in order to conduct activities  
19 authorized under subsections ~~((2))~~ (1) through ~~((5))~~ (4) of this  
20 section. The board may adopt rules governing the manner in which the  
21 activities authorized under this section must be conducted. Licensees  
22 must not be charged a fee in order to obtain an endorsement required  
23 under this section.

24 (b)(i) Alcohol delivery under this section must be performed by  
25 an employee of an alcohol delivery endorsement holder who is 21 years  
26 of age or older and possesses a class 12 permit, in accordance with  
27 RCW 66.20.310.

28 (ii) Delivery services conducted by beer and wine restaurant  
29 licensees and spirits, beer, and wine restaurant licensees under this  
30 section must be accompanied by a purchased meal prepared and sold by  
31 the license holder.

32 (c) Alcohol sold for takeout by beer and wine restaurant  
33 licensees and spirits, beer, and wine restaurant licensees under this  
34 section must be accompanied by a purchased meal prepared and sold by  
35 the license holder.

36 (d) Any alcohol product sold for takeout or delivery under this  
37 section must be in a factory sealed container or a tamper-resistant  
38 container.

39 ~~((7))~~ (6) Beer and wine specialty shops licensed under RCW  
40 66.24.371 and domestic breweries and microbreweries may sell

1 prefilled growlers for off-premises consumption through takeout (~~or~~  
2 ~~curbside service~~) and, until July 1, 2025, delivery, provided that  
3 prefilled growlers are sold the same day they are prepared for sale  
4 and not stored overnight for sale on future days.

5 ~~((8))~~ (7) The board must adopt or revise current rules to allow  
6 for outdoor service of alcohol by on-premises licensees holding  
7 licenses issued by the board for the following license types: Beer  
8 and wine restaurants; spirits, beer, and wine restaurants; taverns;  
9 domestic wineries; domestic breweries and microbreweries;  
10 distilleries; snack bars; and private clubs licensed under RCW  
11 66.24.450 and 66.24.452. The board may adopt requirements providing  
12 for clear accountability at locations where multiple licensees use a  
13 shared space for serving customers.

14 ~~((9))~~ (8) Upon delivery of any alcohol product authorized to be  
15 delivered under this section, the signature of the person age 21 or  
16 over receiving the delivery must be obtained.

17 ~~((10))~~ (9) The definitions in this subsection apply throughout  
18 this section unless the context clearly requires otherwise.

19 (a) "Board" means the liquor and cannabis board.

20 (b) "Growlers" means sanitary containers brought to the premises  
21 by the purchaser or furnished by the licensee and filled by the  
22 retailer at the time of sale.

23 ~~((c) "Mini-bottles" means original factory-sealed containers  
24 holding not more than 50 milliliters of a spirituous beverage.~~

25 ~~((11) This section expires July 1, 2023.)~~

26 **Sec. 2.** RCW 66.04.010 and 2019 c 61 s 1 are each reenacted and  
27 amended to read as follows:

28 In this title, unless the context otherwise requires:

29 (1) "Alcohol" is that substance known as ethyl alcohol, hydrated  
30 oxide of ethyl, or spirit of wine, which is commonly produced by the  
31 fermentation or distillation of grain, starch, molasses, or sugar, or  
32 other substances including all dilutions and mixtures of this  
33 substance. The term "alcohol" does not include alcohol in the  
34 possession of a manufacturer or distiller of alcohol fuel, as  
35 described in RCW 66.12.130, which is intended to be denatured and  
36 used as a fuel for use in motor vehicles, farm implements, and  
37 machines or implements of husbandry.

38 (2) "Authorized representative" means a person who:

1 (a) Is required to have a federal basic permit issued pursuant to  
2 the federal alcohol administration act, 27 U.S.C. Sec. 204;

3 (b) Has its business located in the United States outside of the  
4 state of Washington;

5 (c) Acquires ownership of beer or wine for transportation into  
6 and resale in the state of Washington; and which beer or wine is  
7 produced by a brewery or winery in the United States outside of the  
8 state of Washington; and

9 (d) Is appointed by the brewery or winery referenced in (c) of  
10 this subsection as its authorized representative for marketing and  
11 selling its products within the United States in accordance with a  
12 written agreement between the authorized representative and such  
13 brewery or winery pursuant to this title.

14 (3) "Beer" means any malt beverage, flavored malt beverage, or  
15 malt liquor as these terms are defined in this chapter.

16 (4) "Beer distributor" means a person who buys beer from a  
17 domestic brewery, microbrewery, beer certificate of approval holder,  
18 or beer importers, or who acquires foreign produced beer from a  
19 source outside of the United States, for the purpose of selling the  
20 same pursuant to this title, or who represents such brewer or brewery  
21 as agent.

22 (5) "Beer importer" means a person or business within Washington  
23 who purchases beer from a beer certificate of approval holder or who  
24 acquires foreign produced beer from a source outside of the United  
25 States for the purpose of selling the same pursuant to this title.

26 (6) "Board" means the liquor and cannabis board, constituted  
27 under this title.

28 (7) "Brewer" or "brewery" means any person engaged in the  
29 business of manufacturing beer and malt liquor. Brewer includes a  
30 brand owner of malt beverages who holds a brewer's notice with the  
31 federal bureau of alcohol, tobacco, and firearms at a location  
32 outside the state and whose malt beverage is contract-produced by a  
33 licensed in-state brewery, and who may exercise within the state,  
34 under a domestic brewery license, only the privileges of storing,  
35 selling to licensed beer distributors, and exporting beer from the  
36 state.

37 (8) "Club" means an organization of persons, incorporated or  
38 unincorporated, operated solely for fraternal, benevolent,  
39 educational, athletic, or social purposes, and not for pecuniary  
40 gain.

1 (9) "Confection" means a preparation of sugar, honey, or other  
2 natural or artificial sweeteners in combination with chocolate,  
3 fruits, nuts, dairy products, or flavorings, in the form of bars,  
4 drops, or pieces.

5 (10) "Consume" includes the putting of liquor to any use, whether  
6 by drinking or otherwise.

7 (11) "Contract liquor store" means a business that sells liquor  
8 on behalf of the board through a contract with a contract liquor  
9 store manager.

10 (12) "Craft distillery" means a distillery that pays the reduced  
11 licensing fee under RCW 66.24.140.

12 (13) "Delivery" means the transportation of alcohol to an  
13 individual located within Washington state from a licensed location  
14 holding an alcohol delivery endorsement as part of a delivery order.  
15 "Delivery" does not include services provided by common carriers.

16 (14) "Dentist" means a practitioner of dentistry duly and  
17 regularly licensed and engaged in the practice of his or her  
18 profession within the state pursuant to chapter 18.32 RCW.

19 ((+14)) (15) "Distiller" means a person engaged in the business  
20 of distilling spirits.

21 ((+15)) (16) "Domestic brewery" means a place where beer and  
22 malt liquor are manufactured or produced by a brewer within the  
23 state.

24 ((+16)) (17) "Domestic winery" means a place where wines are  
25 manufactured or produced within the state of Washington.

26 ((+17)) (18) "Drug store" means a place whose principal business  
27 is, the sale of drugs, medicines, and pharmaceutical preparations and  
28 maintains a regular prescription department and employs a registered  
29 pharmacist during all hours the drug store is open.

30 ((+18)) (19) "Druggist" means any person who holds a valid  
31 certificate and is a registered pharmacist and is duly and regularly  
32 engaged in carrying on the business of pharmaceutical chemistry  
33 pursuant to chapter 18.64 RCW.

34 ((+19)) (20) "Employee" means any person employed by the board.

35 ((+20)) (21) "Flavored malt beverage" means:

36 (a) A malt beverage containing six percent or less alcohol by  
37 volume to which flavoring or other added nonbeverage ingredients are  
38 added that contain distilled spirits of not more than forty-nine  
39 percent of the beverage's overall alcohol content; or

1 (b) A malt beverage containing more than six percent alcohol by  
2 volume to which flavoring or other added nonbeverage ingredients are  
3 added that contain distilled spirits of not more than one and  
4 one-half percent of the beverage's overall alcohol content.

5 ~~((21))~~ (22) "Fund" means 'liquor revolving fund.'

6 ~~((22))~~ (23) "Hotel" means buildings, structures, and grounds,  
7 having facilities for preparing, cooking, and serving food, that are  
8 kept, used, maintained, advertised, or held out to the public to be a  
9 place where food is served and sleeping accommodations are offered  
10 for pay to transient guests, in which twenty or more rooms are used  
11 for the sleeping accommodation of such transient guests. The  
12 buildings, structures, and grounds must be located on adjacent  
13 property either owned or leased by the same person or persons.

14 ~~((23))~~ (24) "Importer" means a person who buys distilled  
15 spirits from a distillery outside the state of Washington and imports  
16 such spirituous liquor into the state for sale to the board or for  
17 export.

18 ~~((24))~~ (25) "Imprisonment" means confinement in the county  
19 jail.

20 ~~((25))~~ (26) "Liquor" includes the four varieties of liquor  
21 herein defined (alcohol, spirits, wine, and beer), and all fermented,  
22 spirituous, vinous, or malt liquor, or combinations thereof, and  
23 mixed liquor, a part of which is fermented, spirituous, vinous or  
24 malt liquor, or otherwise intoxicating; and every liquid or solid or  
25 semisolid or other substance, patented or not, containing alcohol,  
26 spirits, wine, or beer, and all drinks or drinkable liquids and all  
27 preparations or mixtures capable of human consumption, and any  
28 liquid, semisolid, solid, or other substance, which contains more  
29 than one percent of alcohol by weight shall be conclusively deemed to  
30 be intoxicating. Liquor does not include confections or food products  
31 that contain one percent or less of alcohol by weight.

32 ~~((26))~~ (27) "Malt beverage" or "malt liquor" means any beverage  
33 such as beer, ale, lager beer, stout, and porter obtained by the  
34 alcoholic fermentation of an infusion or decoction of pure hops, or  
35 pure extract of hops and pure barley malt or other wholesome grain or  
36 cereal in pure water containing not more than eight percent of  
37 alcohol by weight, and not less than one-half of one percent of  
38 alcohol by volume. For the purposes of this title, any such beverage  
39 containing more than eight percent of alcohol by weight shall be  
40 referred to as "strong beer."

1        ~~((27))~~ (28) "Manufacturer" means a person engaged in the  
2 preparation of liquor for sale, in any form whatsoever.

3        ~~((28))~~ (29) "Nightclub" means an establishment that provides  
4 entertainment and has as its primary source of revenue (a) the sale  
5 of alcohol for consumption on the premises, (b) cover charges, or (c)  
6 both.

7        ~~((29))~~ (30) "Package" means any container or receptacle used  
8 for holding liquor.

9        ~~((30))~~ (31) "Passenger vessel" means any boat, ship, vessel,  
10 barge, or other floating craft of any kind carrying passengers for  
11 compensation.

12        ~~((31))~~ (32) "Permit" means a permit for the purchase of liquor  
13 under this title.

14        ~~((32))~~ (33) "Person" means an individual, copartnership,  
15 association, or corporation.

16        ~~((33))~~ (34) "Physician" means a medical practitioner duly and  
17 regularly licensed and engaged in the practice of his or her  
18 profession within the state pursuant to chapter 18.71 RCW.

19        ~~((34))~~ (35) "Powdered alcohol" means any powder or crystalline  
20 substance containing alcohol that is produced for direct use or  
21 reconstitution.

22        ~~((35))~~ (36) "Prescription" means a memorandum signed by a  
23 physician and given by him or her to a patient for the obtaining of  
24 liquor pursuant to this title for medicinal purposes.

25        ~~((36))~~ (37) "Public place" includes streets and alleys of  
26 incorporated cities and towns; state or county or township highways  
27 or roads; buildings and grounds used for school purposes; public  
28 dance halls and grounds adjacent thereto; those parts of  
29 establishments where beer may be sold under this title, soft drink  
30 establishments, public buildings, public meeting halls, lobbies,  
31 halls and dining rooms of hotels, restaurants, theaters, stores,  
32 garages and filling stations which are open to and are generally used  
33 by the public and to which the public is permitted to have  
34 unrestricted access; railroad trains, stages, and other public  
35 conveyances of all kinds and character, and the depots and waiting  
36 rooms used in conjunction therewith which are open to unrestricted  
37 use and access by the public; publicly owned bathing beaches, parks,  
38 and/or playgrounds; and all other places of like or similar nature to  
39 which the general public has unrestricted right of access, and which  
40 are generally used by the public.

1       (~~(37)~~) (38) "Regulations" means regulations made by the board  
2 under the powers conferred by this title.

3       (~~(38)~~) (39) "Restaurant" means any establishment provided with  
4 special space and accommodations where, in consideration of payment,  
5 food, without lodgings, is habitually furnished to the public, not  
6 including drug stores and soda fountains.

7       (~~(39)~~) (40) "Sale" and "sell" include exchange, barter, and  
8 traffic; and also include the selling or supplying or distributing,  
9 by any means whatsoever, of liquor, or of any liquid known or  
10 described as beer or by any name whatever commonly used to describe  
11 malt or brewed liquor or of wine, by any person to any person; and  
12 also include a sale or selling within the state to a foreign  
13 consignee or his or her agent in the state. "Sale" and "sell" shall  
14 not include the giving, at no charge, of a reasonable amount of  
15 liquor by a person not licensed by the board to a person not licensed  
16 by the board, for personal use only. "Sale" and "sell" also does not  
17 include a raffle authorized under RCW 9.46.0315: PROVIDED, That the  
18 nonprofit organization conducting the raffle has obtained the  
19 appropriate permit from the board.

20       (~~(40)~~) (41) "Service bar" means a fixed or portable table,  
21 counter, cart, or similar workstation primarily used to prepare, mix,  
22 serve, and sell alcohol that is picked up by employees or customers.  
23 Customers may not be seated or allowed to consume food or alcohol at  
24 a service bar.

25       (~~(41)~~) (42) "Soda fountain" means a place especially equipped  
26 with apparatus for the purpose of dispensing soft drinks, whether  
27 mixed or otherwise.

28       (~~(42)~~) (43) "Soju" means a traditional Korean distilled  
29 alcoholic beverage, produced using authentic Korean recipes and  
30 production methods, and derived from agricultural products, that  
31 contains not more than twenty-four percent of alcohol by volume.

32       (~~(43)~~) (44) "Spirits" means any beverage which contains alcohol  
33 obtained by distillation, except flavored malt beverages, but  
34 including wines exceeding twenty-four percent of alcohol by volume.

35       (~~(44)~~) (45) "Store" means a state liquor store established  
36 under this title.

37       (~~(45)~~) (46) "Tavern" means any establishment with special space  
38 and accommodation for sale by the glass and for consumption on the  
39 premises, of beer, as herein defined.

1       (~~(46)~~) (47) "VIP airport lounge" means an establishment within  
2 an international airport located beyond security checkpoints that  
3 provides a special space to sit, relax, read, work, and enjoy  
4 beverages where access is controlled by the VIP airport lounge  
5 operator and is generally limited to the following classifications of  
6 persons:

7       (a) Airline passengers of any age whose admission is based on a  
8 first-class, executive, or business class ticket;

9       (b) Airline passengers of any age who are qualified members or  
10 allowed guests of certain frequent flyer or other loyalty incentive  
11 programs maintained by airlines that have agreements describing the  
12 conditions for access to the VIP airport lounge;

13       (c) Airline passengers of any age who are qualified members or  
14 allowed guests of certain enhanced amenities programs maintained by  
15 companies that have agreements describing the conditions for access  
16 to the VIP airport lounge;

17       (d) Airport and airline employees, government officials, foreign  
18 dignitaries, and other attendees of functions held by the airport  
19 authority or airlines related to the promotion of business objectives  
20 such as increasing international air traffic and enhancing foreign  
21 trade where access to the VIP airport lounge will be controlled by  
22 the VIP airport lounge operator; and

23       (e) Airline passengers of any age or airline employees whose  
24 admission is based on a pass issued or permission given by the  
25 airline for access to the VIP airport lounge.

26       (~~(47)~~) (48) "VIP airport lounge operator" means an airline,  
27 port district, or other entity operating a VIP airport lounge that:  
28 Is accountable for compliance with the alcohol beverage control act  
29 under this title; holds the license under chapter 66.24 RCW issued to  
30 the VIP airport lounge; and provides a point of contact for  
31 addressing any licensing and enforcement by the board.

32       (~~(48)~~) (49) (a) "Wine" means any alcoholic beverage obtained by  
33 fermentation of fruits (grapes, berries, apples, et cetera) or other  
34 agricultural product containing sugar, to which any saccharine  
35 substances may have been added before, during or after fermentation,  
36 and containing not more than twenty-four percent of alcohol by  
37 volume, including sweet wines fortified with wine spirits, such as  
38 port, sherry, muscatel, and angelica, not exceeding twenty-four  
39 percent of alcohol by volume and not less than one-half of one  
40 percent of alcohol by volume. For purposes of this title, any

1 beverage containing no more than fourteen percent of alcohol by  
2 volume when bottled or packaged by the manufacturer shall be referred  
3 to as "table wine," and any beverage containing alcohol in an amount  
4 more than fourteen percent by volume when bottled or packaged by the  
5 manufacturer shall be referred to as "fortified wine." However,  
6 "fortified wine" shall not include: (i) Wines that are both sealed or  
7 capped by cork closure and aged two years or more; and (ii) wines  
8 that contain more than fourteen percent alcohol by volume solely as a  
9 result of the natural fermentation process and that have not been  
10 produced with the addition of wine spirits, brandy, or alcohol.

11 (b) This subsection shall not be interpreted to require that any  
12 wine be labeled with the designation "table wine" or "fortified  
13 wine."

14 ~~((49))~~ (50) "Wine distributor" means a person who buys wine  
15 from a domestic winery, wine certificate of approval holder, or wine  
16 importer, or who acquires foreign produced wine from a source outside  
17 of the United States, for the purpose of selling the same not in  
18 violation of this title, or who represents such vintner or winery as  
19 agent.

20 ~~((50))~~ (51) "Wine importer" means a person or business within  
21 Washington who purchases wine from a wine certificate of approval  
22 holder or who acquires foreign produced wine from a source outside of  
23 the United States for the purpose of selling the same pursuant to  
24 this title.

25 ~~((51))~~ (52) "Winery" means a business conducted by any person  
26 for the manufacture of wine for sale, other than a domestic winery.

27 **Sec. 3.** RCW 66.20.310 and 2019 c 64 s 21 are each reenacted and  
28 amended to read as follows:

29 (1)(a) There is an alcohol server permit, known as a class 12  
30 permit, for ~~((a))~~:

31 (i) A manager ~~((or bartender))~~;

32 (ii) A bartender selling or mixing alcohol, spirits, wines, or  
33 beer for consumption at an on-premises licensed facility; or

34 (iii) An employee conducting alcohol deliveries for a licensee  
35 that delivers alcohol under section 1 of this act (as codified under  
36 section 7 of this act).

37 (b) There is an alcohol server permit, known as a class 13  
38 permit, for a person who only serves alcohol, spirits, wines, or beer  
39 for consumption at an on-premises licensed facility.

1 (c) As provided by rule by the board, a class 13 permit holder  
2 may be allowed to act as a bartender without holding a class 12  
3 permit.

4 (2)(a) Effective January 1, 1997, except as provided in (d) of  
5 this subsection, every alcohol server employed, under contract or  
6 otherwise, at a retail licensed premise must be issued a class 12 or  
7 class 13 permit.

8 (b) Every class 12 and class 13 permit issued must be issued in  
9 the name of the applicant and no other person may use the permit of  
10 another permit holder. The holder must present the permit upon  
11 request to inspection by a representative of the board or a peace  
12 officer. The class 12 or class 13 permit is valid for employment at  
13 any retail licensed premises described in (a) of this subsection.

14 (c) Except as provided in (d) of this subsection, no licensee  
15 holding a license as authorized by this section and RCW 66.20.300,  
16 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, 66.24.690,  
17 66.24.450, 66.24.570, 66.24.600, 66.24.610, 66.24.650, 66.24.655, and  
18 66.24.680 may employ or accept the services of any person without the  
19 person first having a valid class 12 or class 13 permit.

20 (d) Within sixty days of initial employment, every person whose  
21 duties include the compounding, sale, service, or handling of liquor  
22 must have a class 12 or class 13 permit.

23 (e) No person may perform duties that include the sale or service  
24 of alcoholic beverages on a retail licensed premises without  
25 possessing a valid alcohol server permit.

26 (f) Every person whose duties include the delivery of alcohol  
27 authorized under section 1 of this act (as codified under section 7  
28 of this act) must have a class 12 permit before engaging in alcohol  
29 delivery. A delivery employee whose duties include the delivery of  
30 alcohol authorized under section 1 of this act (as codified under  
31 section 7 of this act) must complete an approved class 12 permit  
32 course that includes a curriculum component that covers best  
33 practices for delivery of alcohol.

34 (3) A permit issued by a training entity under this section is  
35 valid for employment at any retail licensed premises described in  
36 subsection (2)(a) of this section for a period of five years unless  
37 suspended by the board.

38 (4) The board may suspend or revoke an existing permit if any of  
39 the following occur:

1 (a) The applicant or permittee has been convicted of violating  
2 any of the state or local intoxicating liquor laws of this state or  
3 has been convicted at any time of a felony; or

4 (b) The permittee has performed or permitted any act that  
5 constitutes a violation of this title or of any rule of the board.

6 (5) The suspension or revocation of a permit under this section  
7 does not relieve a licensee from responsibility for any act of the  
8 employee or agent while employed upon the retail licensed premises.  
9 The board may, as appropriate, revoke or suspend either the permit of  
10 the employee who committed the violation or the license of the  
11 licensee upon whose premises the violation occurred, or both the  
12 permit and the license.

13 (6) (a) After January 1, 1997, it is a violation of this title for  
14 any retail licensee or agent of a retail licensee as described in  
15 subsection (2) (a) of this section to employ in the sale or service of  
16 alcoholic beverages, any person who does not have a valid alcohol  
17 server permit or whose permit has been revoked, suspended, or denied.

18 (b) It is a violation of this title for a person whose alcohol  
19 server permit has been denied, suspended, or revoked to accept  
20 employment in the sale or service of alcoholic beverages.

21 (7) Grocery stores licensed under RCW 66.24.360, the primary  
22 commercial activity of which is the sale of grocery products and for  
23 which the sale and service of beer and wine for on-premises  
24 consumption with food is incidental to the primary business, and  
25 employees of such establishments, are exempt from RCW 66.20.300  
26 through 66.20.350, except for employees whose duties include serving  
27 during tasting activities under RCW 66.24.363.

28 **Sec. 4.** RCW 66.20.320 and 1996 c 311 s 2 are each amended to  
29 read as follows:

30 (1) The board shall regulate a required alcohol server education  
31 program that includes:

32 (a) Development of the curriculum and materials for the education  
33 program;

34 (b) Examination and examination procedures;

35 (c) Certification procedures, enforcement policies, and penalties  
36 for education program instructors and providers; and

37 (d) The curriculum for an approved class 12 alcohol permit  
38 training program that includes but is not limited to the following  
39 subjects:

1 (i) The physiological effects of alcohol including the effects of  
2 alcohol in combination with drugs;  
3 (ii) Liability and legal information;  
4 (iii) Driving while intoxicated;  
5 (iv) Intervention with the problem customer, including ways to  
6 stop service, ways to deal with the belligerent customer, and  
7 alternative means of transportation to get the customer safely home;  
8 (v) Methods for checking proper identification of customers;  
9 (vi) Nationally recognized programs, such as TAM (Techniques in  
10 Alcohol Management) and TIPS (Training for Intervention Programs)  
11 modified to include Washington laws and (~~regulations~~) rules; and  
12 (vii) Best practices for delivery of alcohol for a course  
13 approved for a person whose duties include the delivery of alcohol  
14 authorized under section 1 of this act (as codified under section 7  
15 of this act).

16 (2) The board shall provide the program through liquor licensee  
17 associations, independent contractors, private persons, private or  
18 public schools certified by the board, or any combination of such  
19 providers.

20 (3) Each training entity shall provide a class 12 permit to the  
21 manager (~~or~~), bartender, or delivery employee who has successfully  
22 completed a course the board has certified. A list of the individuals  
23 receiving the class 12 permit shall be forwarded to the board on the  
24 completion of each course given by the training entity.

25 (4) After January 1, 1997, the board shall require all alcohol  
26 servers applying for a class 13 alcohol server permit to view a video  
27 training session. Retail liquor licensees shall fully compensate  
28 employees for the time spent participating in this training session.

29 (5) When requested by a retail liquor licensee, the board shall  
30 provide copies of videotaped training programs that have been  
31 produced by private vendors and make them available for a nominal fee  
32 to cover the cost of purchasing and shipment, with the fees being  
33 deposited in the liquor revolving fund for distribution to the board  
34 as needed.

35 (6) Each training entity may provide the board with a video  
36 program of not less than one hour that covers the subjects in  
37 subsection (1)(d)(i) through (v) of this section that will be made  
38 available to a licensee for the training of a class 13 alcohol  
39 server.

1 (7) Applicants shall be given a class 13 permit upon the  
2 successful completion of the program.

3 (8) A list of the individuals receiving the class 13 permit shall  
4 be forwarded to the board on the completion of each video training  
5 program.

6 (9) The board shall develop a model permit for the class 12 and  
7 13 permits. The board may provide such permits to training entities  
8 or licensees for a nominal cost to cover production.

9 (10)(a) Persons who have completed a nationally recognized  
10 alcohol management or intervention program since July 1, 1993, may be  
11 issued a class 12 or 13 permit upon providing proof of completion of  
12 such training to the board.

13 (b) Persons who completed the board's alcohol server training  
14 program after July 1, 1993, but before July 1, 1995, may be issued a  
15 class 13 permit upon providing proof of completion of such training  
16 to the board.

17 **Sec. 5.** RCW 66.24.660 and 2013 c 89 s 1 are each amended to read  
18 as follows:

19 Retailers may sell liquor as defined in RCW 66.04.010(~~(+25)~~)  
20 through self-checkout registers if that register is programmed to  
21 halt that transaction during the purchase of liquor until an employee  
22 of the retailer intervenes and verifies the age of the purchaser by  
23 reviewing established forms of acceptable identification. Once age is  
24 successfully verified, the employee can release the transaction for  
25 payment. If the purchaser cannot provide acceptable forms of  
26 identification to verify age, the employee must refuse the purchase  
27 and void the transaction.

28 NEW SECTION. **Sec. 6.** By November 1, 2023, the liquor and  
29 cannabis board shall submit recommendations to the governor and  
30 appropriate committees of the legislature for a comprehensive alcohol  
31 delivery policy. The recommendations in the report must include a  
32 consistent, equitable structure for alcohol delivery licenses,  
33 endorsements, permits, and fees, and a comprehensive plan to help  
34 ensure all deliveries of alcohol are made only to persons who are 21  
35 years of age or older.

36 NEW SECTION. **Sec. 7.** Section 1 of this act is codified as a new  
37 section in chapter 66.24 RCW.

1        NEW SECTION.    **Sec. 8.**    This act is necessary for the immediate  
2 preservation of the public peace, health, or safety, or support of  
3 the state government and its existing public institutions, and takes  
4 effect July 1, 2023."

5        Correct the title.

EFFECT: (1) Prohibits alcohol products from being sold by delivery, after July 1, 2025, pursuant to the privileges that were established in Engrossed Second Substitute House Bill No. 1480 (2021).

(2) Requires alcohol sold for takeout (and not only for delivery) by beer and wine restaurant licensees and spirits, beer, and wine restaurant licensees pursuant to the privileges to be accompanied by a purchased meal prepared and sold by the license holder.

(3) Requires any alcohol product sold for takeout or delivery pursuant to the privileges to be in a factory sealed container or a tamper-resistant container.

(4) Eliminates the proposed requirement that a licensee delivering alcohol pursuant to the privileges must maintain a compliance rate of at least 95 percent per year in ensuring that all deliveries of alcohol are made only to a person who is 21 years of age or older who signs for the delivery.

(5) Changes the proposed definition of "delivery" in liquor statutes (Title 66 RCW) so the word would be defined as the transportation of alcohol to an individual located within Washington from a licensed location holding an alcohol delivery endorsement as part of a delivery order. Retains the provision in the proposed definition that specifies "delivery" does not include services provided by common carriers.

(6) Eliminates the proposed \$5 additional fee at the time of issuance and replacement of a class 12 permit of an employee who conducts deliveries for a delivery endorsement holder pursuant to the privileges.

(7) Eliminates the proposed requirement for the liquor and cannabis board (LCB) to create a \$50 license endorsement for restaurants, taverns, wineries, breweries, and distilleries to conduct alcohol deliveries under the privileges, to continue applying the existing requirement that these licensees must obtain a no-cost endorsement from the LCB to conduct delivery privileges.

(8) Requires the LCB to submit a report with recommendations to the governor and the legislature for a comprehensive alcohol delivery policy, by November 2023. Specifies that the recommendations in the report must include a consistent, equitable structure for alcohol delivery licenses, endorsements, permits, and fees, and a comprehensive plan to help ensure all deliveries of alcohol are made only to persons who are 21 years of age or older.

(9) Changes the effective date to July 1, 2023, from immediately.

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