
Regulated Substances & Gaming Committee

HB 1803

Brief Description: Creating an endorsement to the beer and/or wine specialty shop license.

Sponsors: Representative Steele.

Brief Summary of Bill

- Creates an endorsement for a beer and/or wine specialty shop licensee to sell certain amounts of beer or wine to a customer for on-premises consumption.

Hearing Date: 2/14/23

Staff: Matt Sterling (786-7289).

Background:

Liquor Licenses and Endorsements.

The Liquor and Cannabis Board (LCB) issues various types of commercial liquor licenses, including those for beer and/or wine specialty shops, wineries, microbreweries, domestic breweries, restaurants, and nightclubs. The LCB may impose conditions or restrictions on a license, or include special endorsements authorizing the sale of specified alcoholic beverages subject to specified conditions. All conditions, restrictions, and endorsements issued by the LCB must be listed on the face of the license along with the trade name, address, and expiration date of the license. A licensee must post its license in a conspicuous place on the premises.

Beer and/or Wine Specialty Shop License.

A beer and/or wine specialty shop license authorizes the shop to sell beer, strong beer, and/or wine at retail in bottles, cans, and original containers, but not to be consumed upon the premises

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where sold. Licensees obtaining a written endorsement from the LCB may also sell malt liquor in kegs or other containers capable of holding four gallons or more of liquid. Such licensees may provide, free or for a charge, single-serving samples of two ounces or less to customers for the purpose of sales promotion.

Upon approval by the LCB, a beer and/or wine specialty shop licensee that exceeds 50 percent beer and/or wine sales may also receive an endorsement to permit the sale of beer to a purchaser in a sanitary container brought to the premises by the purchaser, or provided by the licensee or manufacturer, and filled at the tap by the licensee at the time of sale. The annual fee for the beer and/or wine specialty shop license is \$100 for each store.

Alcohol Server Permits.

The LCB provides a required alcohol server education program. This includes the development of the curriculum and materials for the education program, examination and examination procedures, as well as certification procedures, enforcement policies, and penalties for education program instructors and providers. The LCB provides the program through liquor licensee associations, independent contractors, private persons, private or public schools certified by the board, or any combination of such providers.

The following two types of alcohol server permits are issued by the LCB:

- a class 12 permit, for a manager or bartender selling or mixing alcohol, spirits, wines, or beer for consumption at an on-premises licensed facility; and
- a class 13 permit, for a person who only serves alcohol, spirits, wines, or beer for consumption at an on-premises licensed facility.

A list of the individuals receiving a class 12 or class 13 permit must be forwarded to the board on the completion of each course given by the training entity. A violation of any of the LCB's rules to implement alcohol server permit requirements is a misdemeanor, punishable by a fine of not more than \$250 for a first offense. A subsequent offense is punishable by a fine of not more than \$500, or imprisonment for not more than 90 days, or both the fine and imprisonment.

Summary of Bill:

Endorsement for On-Premises Consumption.

There is an endorsement available to the beer and/or wine specialty shop license, for a cost of \$100 per year, that authorizes the holder to sell certain amounts of beer or wine to a customer for on-premises consumption. Any person selling or serving wine, beer, or strong beer for on-premises consumption must obtain a class 12 or class 13 alcohol serve permit and would be restricted to serving a customer the following amounts per day:

- two glasses of wine;
- two glasses, open cans, or open bottles of beer or strong beer; or
- one glass of wine and one glass, open can, or open bottle of beer or strong beer.

Appropriation: None.

Fiscal Note: Requested on February 10, 2023.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.