
SENATE BILL 6265

State of Washington 52nd Legislature 1992 Regular Session

By Senators Newhouse and Snyder

Read first time 01/23/92. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to registration for kegs or other similar
2 containers for malt liquor; and amending RCW 66.24.360 and 66.28.200.

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

4 **Sec. 1.** RCW 66.24.360 and 1991 c 42 s 4 are each amended to read
5 as follows:

6 There shall be a beer retailer's license to be designated as
7 (~~fa~~) a class E license to sell beer at retail in bottles and
8 original packages, not to be consumed upon the premises where sold, at
9 any store other than the state liquor stores. Licensees holding only
10 an E license may not sell malt liquor in kegs or other containers
11 capable of holding (~~four~~) five and one-half gallons or more of
12 liquid. The annual fee for the license is seventy-five dollars for
13 each store: PROVIDED, That a holder of a class A or a class B license
14 shall be entitled to the privileges permitted in this section by paying

1 an annual fee of twenty-five dollars for each store. Licensees under
2 this section whose business is primarily the sale of beer and/or wine
3 at retail may provide, free or for a charge, single-serving samples of
4 two ounces or less to customers for the purpose of sales promotion.
5 Sampling activities of licensees under this section shall be subject to
6 RCW 66.28.010 and 66.28.040 and the cost of sampling under this section
7 may not be borne, directly or indirectly, by any manufacturer,
8 importer, or wholesaler of liquor.

9 For the purpose of this section, "beer" includes, in addition to
10 the usual and customary meaning, bottle conditioned beer which has been
11 fermented partially or completely in the container in which it is sold
12 to the retail customer and which may contain residual active yeast.
13 The bottles and original packages in which such bottle conditioned beer
14 may be sold under this section shall not exceed one hundred seventy
15 ounces in capacity.

16 **Sec. 2.** RCW 66.28.200 and 1989 c 271 s 229 are each amended to
17 read as follows:

18 Only licensees holding a class A or B license in combination with
19 a class E license may sell malt liquor in kegs or other containers
20 capable of holding (~~four~~) five and one-half gallons or more of
21 liquid. Any person who sells or offers for sale the contents of kegs
22 or other containers containing four gallons or more of malt liquor, or
23 leases kegs or other containers that will hold four gallons of malt
24 liquor, to consumers who are not licensed under chapter 66.24 RCW shall
25 do the following for any transaction involving the container:

26 (1) Require the purchaser of the malt liquor to sign a declaration
27 and receipt for the keg or other container or beverage in substantially
28 the form provided in RCW 66.28.220;

1 (2) Require the purchaser to provide one piece of identification
2 pursuant to RCW 66.16.040;

3 (3) Require the purchaser to sign a sworn statement, under penalty
4 of perjury, that:

5 (a) The purchaser is of legal age to purchase, possess, or use malt
6 liquor;

7 (b) The purchaser will not allow any person under the age of
8 twenty-one years to consume the beverage except as provided by RCW
9 66.44.270;

10 (c) The purchaser will not remove, obliterate, or allow to be
11 removed or obliterated, the identification required under RCW 66.28.220
12 to be affixed to the container;

13 (4) Require the purchaser to state the particular address where the
14 malt liquor will be consumed, or the particular address where the keg
15 or other container will be physically located; and

16 (5) Require the purchaser to maintain a copy of the declaration and
17 receipt next to or adjacent to the keg or other container, in no event
18 a distance greater than five feet, and visible without a physical
19 barrier from the keg, during the time that the keg or other container
20 is in the purchaser's possession or control.