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**SUBSTITUTE HOUSE BILL 2076**

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**State of Washington                      60th Legislature                      2008 Regular Session**

**By** House Commerce & Labor (originally sponsored by Representatives Conway, Williams, Condotta, Newhouse, and Ormsby)

READ FIRST TIME 01/29/08.

1            AN ACT Relating to wine and beer tasting; creating a new section;  
2 and providing an expiration date.

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

4            NEW SECTION.    **Sec. 1.** (1) The liquor control board shall establish  
5 a pilot project to allow beer and wine tasting in grocery stores  
6 licensed under RCW 66.24.360.

7            (a) The pilot project shall consist of thirty locations with at  
8 least six tastings to be conducted at each location between October 1,  
9 2008, and September 30, 2009. However, no licensee may hold more than  
10 one tasting per month during the project period.

11           (b) The pilot project locations shall be determined by the board  
12 and must be equally allocated between independently owned grocery  
13 stores and national chain grocery stores.

14           (c) Licensees chosen to participate in the pilot project must meet  
15 the following criteria:

16           (i) Their primary activity is the retail sale of grocery products  
17 for off-premises consumption; and

18           (ii) They operate a fully enclosed retail area encompassing at  
19 least nine thousand square feet.

1 (d) Tasting activities of licensees under this section are subject  
2 to RCW 66.28.010 and 66.28.040 and the cost of sampling may not be  
3 borne, directly or indirectly, by any liquor manufacturer, importer, or  
4 distributor.

5 (e) A "tasting" may be conducted under the following conditions:

6 (i) Each sample must be two ounces or less, up to a total of four  
7 ounces, per customer; and

8 (ii) No more than one sample of any single brand and type of beer  
9 or wine may be provided to a customer during any one visit to the  
10 premises.

11 (f) The service area and facilities must be located within the  
12 licensee's fully enclosed retail area, and must be of a size and design  
13 such that the licensee can observe and control persons in the area to  
14 ensure that persons under twenty-one years of age and obviously  
15 intoxicated persons cannot possess or consume alcohol. Customers must  
16 remain in the service area while consuming samples.

17 (g) The licensee may only advertise the tasting event within the  
18 store.

19 (h) All other criteria needed to establish and monitor the pilot  
20 project shall be determined by the board.

21 (i) The board shall report on the pilot project to the appropriate  
22 committees of the legislature by December 1, 2009.

23 (2) The liquor control board shall adopt rules to implement this  
24 section. The rules must include a requirement that employees of  
25 licensees under RCW 66.24.360 and 66.24.371 who are involved in tasting  
26 activities complete a board-approved limited alcohol server training  
27 program that addresses only those subjects reasonably related to the  
28 licensees' tasting activities.

29 NEW SECTION. **Sec. 2.** This act expires December 1, 2009.

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