

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 5751**

60th Legislature  
2008 Regular Session

Passed by the Senate March 10, 2008  
YEAS 29 NAYS 17

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**President of the Senate**

Passed by the House March 7, 2008  
YEAS 51 NAYS 41

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5751** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SENATE BILL 5751**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2008 Regular Session

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

**By** Senators Kohl-Welles, Hewitt and Rockefeller

Read first time 01/31/2007.                      Referred to Committee on Labor,  
Commerce, Research & Development.

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;

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; and

11 (iii) The licensee must have food available for the tasting  
12 participants.

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

19 (g) The licensee may only advertise the tasting event within the  
20 store.

21 (h) The board may prohibit tasting at a pilot project location that  
22 is within the boundaries of an alcohol impact area recognized by  
23 resolution of the board if the board finds that the tasting activities  
24 at the location are having an adverse effect on the reduction of  
25 chronic public inebriation in the area.

26 (i) All other criteria needed to establish and monitor the pilot  
27 project shall be determined by the board.

28 (j) The board shall report on the pilot project to the appropriate  
29 committees of the legislature by December 1, 2009.

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

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

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