1459-S AMH HOLY CAMS 025

**SHB 1459** - H AMD **200**

By Representative Holy

**WITHDRAWN 03/08/2013**

 Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  A new section is added to chapter 66.12 RCW to read as follows:

 (1) Students under twenty-one years of age who are enrolled in a viticulture or enology degree program at an accredited college, university, community college, area vocational technical institute, or private vocational school may taste but not ingest wine for instructional purposes during classes that are part of the curriculum of the accredited viticulture or enology degree program.

 (2) Such students may taste wine only:

 (a) During times of a regularly scheduled course;

 (b) While under the direct supervision of an instructor, who is at least twenty-one years old and employed by the accredited college, university, community college, area vocational technical institute, or private vocational school offering the viticulture or enology degree program; and

 (c) In accordance with the provisions of RCW 66.28.160.

 (3) When developing policies to allow students under twenty-one years of age who are enrolled in a viticulture or enology degree program to taste but not ingest wine, a participating college, university, community college, area vocational technical institute, or private vocational school may consult with the Washington viticulture and enology education consortium.

**Sec.** RCW 66.44.270 and 1998 c 4 s 1 are each amended to read as follows:

 (1) It is unlawful for any person to sell, give, or otherwise supply liquor to any person under the age of twenty-one years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control. For the purposes of this subsection, "premises" includes real property, houses, buildings, and other structures, and motor vehicles and watercraft. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter 9A.20 RCW.

 (2)(a) It is unlawful for any person under the age of twenty-one years to possess, consume, or otherwise acquire any liquor. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter 9A.20 RCW.

 (b) It is unlawful for a person under the age of twenty-one years to be in a public place, or to be in a motor vehicle in a public place, while exhibiting the effects of having consumed liquor. For purposes of this subsection, exhibiting the effects of having consumed liquor means that a person has the odor of liquor on his or her breath and either: (i) Is in possession of or close proximity to a container that has or recently had liquor in it; or (ii) by speech, manner, appearance, behavior, lack of coordination, or otherwise, exhibits that he or she is under the influence of liquor. This subsection (2)(b) does not apply if the person is in the presence of a parent or guardian or has consumed or is consuming liquor under circumstances described in subsection (4) or (5) of this section.

 (3) Subsections (1) and (2)(a) of this section do not apply to liquor given or permitted to be given to a person under the age of twenty-one years by a parent or guardian and consumed in the presence of the parent or guardian. This subsection ((~~shall~~)) does not authorize consumption or possession of liquor by a person under the age of twenty-one years on any premises licensed under chapter 66.24 RCW.

 (4) This section does not apply to liquor given for medicinal purposes to a person under the age of twenty-one years by a parent, guardian, physician, or dentist.

 (5) This section does not apply to liquor given to a person under the age of twenty-one years when such liquor is being used in connection with religious services and the amount consumed is the minimal amount necessary for the religious service.

 (6) This section does not apply to wine provided to students under twenty-one years of age in accordance with section 1 of this act.
 (7) Conviction or forfeiture of bail for a violation of this section by a person under the age of twenty-one years at the time of such conviction or forfeiture ((~~shall not be a disqualification of~~)) does not disqualify that person to acquire a license to sell or dispense any liquor after that person has attained the age of twenty-one years."

 Correct the title.

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|  |  EFFECT:  Eliminates the requirement that a college or university with a viticulture or enology degree program apply for a permit from the Liquor Control Board if such college or university elects to allow students under the age of twenty-one to taste but not ingest wine. |

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