
HOUSE BILL 2327

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Wylie and Condotta

Read first time 01/15/14. Referred to Committee on Government
Accountability & Oversight.

1 AN ACT Relating to sales of growlers of wine or beer; amending RCW
2 66.24.170, 66.24.244, 66.24.354, 66.24.400, and 66.24.590; and
3 reenacting and amending RCW 66.24.240 and 66.24.371.

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

5 **Sec. 1.** RCW 66.24.170 and 2013 c 238 s 2 are each amended to read
6 as follows:

7 (1) There shall be a license for domestic wineries; fee to be
8 computed only on the liters manufactured: Less than two hundred fifty
9 thousand liters per year, one hundred dollars per year; and two hundred
10 fifty thousand liters or more per year, four hundred dollars per year.

11 (2) The license allows for the manufacture of wine in Washington
12 state from grapes or other agricultural products.

13 (3) Any domestic winery licensed under this section may also act as
14 a retailer of wine of its own production. Any domestic winery licensed
15 under this section may act as a distributor of its own production.
16 Notwithstanding any language in this title to the contrary, a domestic
17 winery may use a common carrier to deliver up to one hundred cases of
18 its own production, in the aggregate, per month to licensed Washington
19 retailers. A domestic winery may not arrange for any such common

1 carrier shipments to licensed retailers of wine not of its own
2 production. Except as provided in this section, any winery operating
3 as a distributor and/or retailer under this subsection shall comply
4 with the applicable laws and rules relating to distributors and/or
5 retailers, except that a winery operating as a distributor may maintain
6 a warehouse off the premises of the winery for the distribution of wine
7 of its own production provided that: (a) The warehouse has been
8 approved by the board under RCW 66.24.010; and (b) the number of
9 warehouses off the premises of the winery does not exceed one.

10 (4) A domestic winery licensed under this section, at locations
11 separate from any of its production or manufacturing sites, may serve
12 samples of its own products, with or without charge, (~~and~~) may sell
13 wine of its own production or beer at retail, and may sell for
14 consumption on or off the premises wines of its own production and
15 beers in kegs or sanitary containers meeting the applicable
16 requirements of federal law brought to the premises by the purchaser or
17 furnished by the licensee and filled at the tap at the time of sale,
18 provided that: (a) Each additional location has been approved by the
19 board under RCW 66.24.010; (b) the total number of additional locations
20 does not exceed two; (c) a winery may not act as a distributor at any
21 such additional location; and (d) any person selling or serving wine or
22 beer at an additional location for on-premise consumption must obtain
23 a class 12 or class 13 alcohol server permit. Each additional location
24 is deemed to be part of the winery license for the purpose of this
25 title. At additional locations operated by multiple wineries under
26 this section, if the board cannot connect a violation of RCW 66.44.200
27 or 66.44.270 to a single licensee, the board may hold all licensees
28 operating the additional location jointly liable. Nothing in this
29 subsection shall be construed to prevent a domestic winery from holding
30 multiple domestic winery licenses.

31 (5)(a) A domestic winery licensed under this section may apply to
32 the board for an endorsement to sell wine of its own production at
33 retail for off-premises consumption at a qualifying farmers market.
34 The annual fee for this endorsement is seventy-five dollars. An
35 endorsement issued pursuant to this subsection does not count toward
36 the two additional retail locations limit specified in this section.

37 (b) For each month during which a domestic winery will sell wine at
38 a qualifying farmers market, the winery must provide the board or its

1 designee a list of the dates, times, and locations at which bottled
2 wine may be offered for sale. This list must be received by the board
3 before the winery may offer wine for sale at a qualifying farmers
4 market.

5 (c) The wine sold at qualifying farmers markets must be made
6 entirely from grapes grown in a recognized Washington appellation or
7 from other agricultural products grown in this state.

8 (d) Each approved location in a qualifying farmers market is deemed
9 to be part of the winery license for the purpose of this title. The
10 approved locations under an endorsement granted under this subsection
11 include tasting or sampling privileges subject to the conditions
12 pursuant to RCW 66.24.175. The winery may not store wine at a farmers
13 market beyond the hours that the winery offers bottled wine for sale.
14 The winery may not act as a distributor from a farmers market location.

15 (e) Before a winery may sell bottled wine at a qualifying farmers
16 market, the farmers market must apply to the board for authorization
17 for any winery with an endorsement approved under this subsection to
18 sell bottled wine at retail at the farmers market. This application
19 shall include, at a minimum: (i) A map of the farmers market showing
20 all booths, stalls, or other designated locations at which an approved
21 winery may sell bottled wine; and (ii) the name and contact information
22 for the on-site market managers who may be contacted by the board or
23 its designee to verify the locations at which bottled wine may be sold.
24 Before authorizing a qualifying farmers market to allow an approved
25 winery to sell bottled wine at retail at its farmers market location,
26 the board shall notify the persons or entities of such application for
27 authorization pursuant to RCW 66.24.010 (8) and (9). An authorization
28 granted under this subsection (5)(e) may be withdrawn by the board for
29 any violation of this title or any rules adopted under this title.

30 (f) The board may adopt rules establishing the application and
31 approval process under this section and such additional rules as may be
32 necessary to implement this section.

33 (g) For the purposes of this subsection:

34 (i) "Qualifying farmers market" means an entity that sponsors a
35 regular assembly of vendors at a defined location for the purpose of
36 promoting the sale of agricultural products grown or produced in this
37 state directly to the consumer under conditions that meet the following
38 minimum requirements:

1 (A) There are at least five participating vendors who are farmers
2 selling their own agricultural products;

3 (B) The total combined gross annual sales of vendors who are
4 farmers exceeds the total combined gross annual sales of vendors who
5 are processors or resellers;

6 (C) The total combined gross annual sales of vendors who are
7 farmers, processors, or resellers exceeds the total combined gross
8 annual sales of vendors who are not farmers, processors, or resellers;

9 (D) The sale of imported items and secondhand items by any vendor
10 is prohibited; and

11 (E) No vendor is a franchisee.

12 (ii) "Farmer" means a natural person who sells, with or without
13 processing, agricultural products that he or she raises on land he or
14 she owns or leases in this state or in another state's county that
15 borders this state.

16 (iii) "Processor" means a natural person who sells processed food
17 that he or she has personally prepared on land he or she owns or leases
18 in this state or in another state's county that borders this state.

19 (iv) "Reseller" means a natural person who buys agricultural
20 products from a farmer and resells the products directly to the
21 consumer.

22 (6) Wine produced in Washington state by a domestic winery licensee
23 may be shipped out-of-state for the purpose of making it into sparkling
24 wine and then returned to such licensee for resale. Such wine shall be
25 deemed wine manufactured in the state of Washington for the purposes of
26 RCW 66.24.206, and shall not require a special license.

27 **Sec. 2.** RCW 66.24.240 and 2011 c 195 s 6 and 2011 c 119 s 212 are
28 each reenacted and amended to read as follows:

29 (1) There shall be a license for domestic breweries; fee to be two
30 thousand dollars for production of sixty thousand barrels or more of
31 malt liquor per year.

32 (2) Any domestic brewery, except for a brand owner of malt
33 beverages under RCW 66.04.010(7), licensed under this section may also
34 act as a distributor and/or retailer for beer of its own production.
35 Any domestic brewery operating as a distributor and/or retailer under
36 this subsection shall comply with the applicable laws and rules
37 relating to distributors and/or retailers. A domestic brewery holding

1 a spirits, beer, and wine restaurant license may sell beer of its own
2 production or wine for consumption on or off((-)) the premises
3 ((consumption)) from its restaurant premises in kegs or in ((a))
4 sanitary containers meeting the applicable requirements of federal law
5 brought to the premises by the purchaser or furnished by the licensee
6 or manufacturer and filled at the tap by the licensee at the time of
7 sale.

8 (3) Any domestic brewery licensed under this section may also sell
9 beer produced by another domestic brewery or a microbrewery for on and
10 off-premises consumption from its premises as long as the other
11 breweries' brands do not exceed twenty-five percent of the domestic
12 brewery's on-tap offering of its own brands.

13 (4) A domestic brewery may hold up to two retail licenses to
14 operate an on or off-premise tavern, beer and/or wine restaurant, or
15 spirits, beer, and wine restaurant. This retail license is separate
16 from the brewery license. A brewery that holds a tavern license, a
17 spirits, beer, and wine restaurant license, or a beer and/or wine
18 restaurant license shall hold the same privileges and endorsements as
19 permitted under RCW 66.24.320, 66.24.330, and 66.24.420.

20 (5) Any domestic brewery licensed under this section may contract-
21 produce beer for a brand owner of malt beverages defined under RCW
22 66.04.010(7), and this contract-production is not a sale for the
23 purposes of RCW 66.28.170 and 66.28.180.

24 (6)(a) A domestic brewery licensed under this section and qualified
25 for a reduced rate of taxation pursuant to RCW 66.24.290(3)(b) may
26 apply to the board for an endorsement to sell bottled beer of its own
27 production at retail for off-premises consumption at a qualifying
28 farmers market. The annual fee for this endorsement is seventy-five
29 dollars.

30 (b) For each month during which a domestic brewery will sell beer
31 at a qualifying farmers market, the domestic brewery must provide the
32 board or its designee a list of the dates, times, and locations at
33 which bottled beer may be offered for sale. This list must be received
34 by the board before the domestic brewery may offer beer for sale at a
35 qualifying farmers market.

36 (c) The beer sold at qualifying farmers markets must be produced in
37 Washington.

1 (d) Each approved location in a qualifying farmers market is deemed
2 to be part of the domestic brewery license for the purpose of this
3 title. The approved locations under an endorsement granted under this
4 subsection do not include the tasting or sampling privilege of a
5 domestic brewery. The domestic brewery may not store beer at a farmers
6 market beyond the hours that the domestic brewery offers bottled beer
7 for sale. The domestic brewery may not act as a distributor from a
8 farmers market location.

9 (e) Before a domestic brewery may sell bottled beer at a qualifying
10 farmers market, the farmers market must apply to the board for
11 authorization for any domestic brewery with an endorsement approved
12 under this subsection to sell bottled beer at retail at the farmers
13 market. This application shall include, at a minimum: (i) A map of
14 the farmers market showing all booths, stalls, or other designated
15 locations at which an approved domestic brewery may sell bottled beer;
16 and (ii) the name and contact information for the on-site market
17 managers who may be contacted by the board or its designee to verify
18 the locations at which bottled beer may be sold. Before authorizing a
19 qualifying farmers market to allow an approved domestic brewery to sell
20 bottled beer at retail at its farmers market location, the board shall
21 notify the persons or entities of such application for authorization
22 pursuant to RCW 66.24.010 (8) and (9). An authorization granted under
23 this subsection (6)(e) may be withdrawn by the board for any violation
24 of this title or any rules adopted under this title.

25 (f) The board may adopt rules establishing the application and
26 approval process under this section and such additional rules as may be
27 necessary to implement this section.

28 (g) For the purposes of this subsection:

29 (i) "Qualifying farmers market" means an entity that sponsors a
30 regular assembly of vendors at a defined location for the purpose of
31 promoting the sale of agricultural products grown or produced in this
32 state directly to the consumer under conditions that meet the following
33 minimum requirements:

34 (A) There are at least five participating vendors who are farmers
35 selling their own agricultural products;

36 (B) The total combined gross annual sales of vendors who are
37 farmers exceeds the total combined gross annual sales of vendors who
38 are processors or resellers;

1 (C) The total combined gross annual sales of vendors who are
2 farmers, processors, or resellers exceeds the total combined gross
3 annual sales of vendors who are not farmers, processors, or resellers;

4 (D) The sale of imported items and secondhand items by any vendor
5 is prohibited; and

6 (E) No vendor is a franchisee.

7 (ii) "Farmer" means a natural person who sells, with or without
8 processing, agricultural products that he or she raises on land he or
9 she owns or leases in this state or in another state's county that
10 borders this state.

11 (iii) "Processor" means a natural person who sells processed food
12 that he or she has personally prepared on land he or she owns or leases
13 in this state or in another state's county that borders this state.

14 (iv) "Reseller" means a natural person who buys agricultural
15 products from a farmer and resells the products directly to the
16 consumer.

17 **Sec. 3.** RCW 66.24.244 and 2013 c 238 s 3 are each amended to read
18 as follows:

19 (1) There shall be a license for microbreweries; fee to be one
20 hundred dollars for production of less than sixty thousand barrels of
21 malt liquor, including strong beer, per year.

22 (2) Any microbrewery licensed under this section may also act as a
23 distributor and/or retailer for beer and strong beer of its own
24 production. Strong beer may not be sold at a farmers market or under
25 any endorsement which may authorize microbreweries to sell beer at
26 farmers markets. Any microbrewery operating as a distributor and/or
27 retailer under this subsection shall comply with the applicable laws
28 and rules relating to distributors and/or retailers, except that a
29 microbrewery operating as a distributor may maintain a warehouse off
30 the premises of the microbrewery for the distribution of beer provided
31 that (a) the warehouse has been approved by the board under RCW
32 66.24.010 and (b) the number of warehouses off the premises of the
33 microbrewery does not exceed one. A microbrewery holding a spirits,
34 beer, and wine restaurant license may sell beer of its own production
35 or wine for ~~((off-premises))~~ consumption on or off the premises from
36 its restaurant premises in kegs or in ~~((a))~~ sanitary containers meeting

1 the applicable requirements of federal law brought to the premises by
2 the purchaser or furnished by the licensee or manufacturer and filled
3 at the tap by the licensee at the time of sale.

4 (3) Any microbrewery licensed under this section may also sell beer
5 produced by another microbrewery or a domestic brewery for on and off-
6 premises consumption from its premises as long as the other breweries'
7 brands do not exceed twenty-five percent of the microbrewery's on-tap
8 offering of its own brands.

9 (4) The board may issue up to two retail licenses allowing a
10 microbrewery to operate an on or off-premise tavern, beer and/or wine
11 restaurant, or spirits, beer, and wine restaurant.

12 (5) A microbrewery that holds a tavern license, spirits, beer, and
13 wine restaurant license, or a beer and/or wine restaurant license shall
14 hold the same privileges and endorsements as permitted under RCW
15 66.24.320, 66.24.330, and 66.24.420.

16 (6)(a) A microbrewery licensed under this section may apply to the
17 board for an endorsement to sell bottled beer of its own production at
18 retail for off-premises consumption at a qualifying farmers market.
19 The annual fee for this endorsement is seventy-five dollars.

20 (b) For each month during which a microbrewery will sell beer at a
21 qualifying farmers market, the microbrewery must provide the board or
22 its designee a list of the dates, times, and locations at which bottled
23 beer may be offered for sale. This list must be received by the board
24 before the microbrewery may offer beer for sale at a qualifying farmers
25 market.

26 (c) Any person selling or serving beer must obtain a class 12 or
27 class 13 alcohol server permit.

28 (d) The beer sold at qualifying farmers markets must be produced in
29 Washington.

30 (e) Each approved location in a qualifying farmers market is deemed
31 to be part of the microbrewery license for the purpose of this title.
32 The approved locations under an endorsement granted under this
33 subsection (6) include tasting or sampling privileges subject to the
34 conditions pursuant to RCW 66.24.175. The microbrewery may not store
35 beer at a farmers market beyond the hours that the microbrewery offers
36 bottled beer for sale. The microbrewery may not act as a distributor
37 from a farmers market location.

1 (f) Before a microbrewery may sell bottled beer at a qualifying
2 farmers market, the farmers market must apply to the board for
3 authorization for any microbrewery with an endorsement approved under
4 this subsection (6) to sell bottled beer at retail at the farmers
5 market. This application shall include, at a minimum: (i) A map of
6 the farmers market showing all booths, stalls, or other designated
7 locations at which an approved microbrewery may sell bottled beer; and
8 (ii) the name and contact information for the on-site market managers
9 who may be contacted by the board or its designee to verify the
10 locations at which bottled beer may be sold. Before authorizing a
11 qualifying farmers market to allow an approved microbrewery to sell
12 bottled beer at retail at its farmers market location, the board shall
13 notify the persons or entities of the application for authorization
14 pursuant to RCW 66.24.010 (8) and (9). An authorization granted under
15 this subsection (6)(f) may be withdrawn by the board for any violation
16 of this title or any rules adopted under this title.

17 (g) The board may adopt rules establishing the application and
18 approval process under this section and any additional rules necessary
19 to implement this section.

20 (h) For the purposes of this subsection (6):

21 (i) "Qualifying farmers market" means an entity that sponsors a
22 regular assembly of vendors at a defined location for the purpose of
23 promoting the sale of agricultural products grown or produced in this
24 state directly to the consumer under conditions that meet the following
25 minimum requirements:

26 (A) There are at least five participating vendors who are farmers
27 selling their own agricultural products;

28 (B) The total combined gross annual sales of vendors who are
29 farmers exceeds the total combined gross annual sales of vendors who
30 are processors or resellers;

31 (C) The total combined gross annual sales of vendors who are
32 farmers, processors, or resellers exceeds the total combined gross
33 annual sales of vendors who are not farmers, processors, or resellers;

34 (D) The sale of imported items and secondhand items by any vendor
35 is prohibited; and

36 (E) No vendor is a franchisee.

37 (ii) "Farmer" means a natural person who sells, with or without

1 processing, agricultural products that he or she raises on land he or
2 she owns or leases in this state or in another state's county that
3 borders this state.

4 (iii) "Processor" means a natural person who sells processed food
5 that he or she has personally prepared on land he or she owns or leases
6 in this state or in another state's county that borders this state.

7 (iv) "Reseller" means a natural person who buys agricultural
8 products from a farmer and resells the products directly to the
9 consumer.

10 (7) Any microbrewery licensed under this section may
11 contract-produce beer for another microbrewer. This contract-
12 production is not a sale for the purposes of RCW 66.28.170 and
13 66.28.180.

14 **Sec. 4.** RCW 66.24.354 and 1997 c 321 s 21 are each amended to read
15 as follows:

16 There shall be a beer and wine retailer's license that may be
17 combined only with the on-premises licenses described in either RCW
18 66.24.320 or 66.24.330. The combined license permits the sale of beer
19 and wine for consumption off the premises.

20 (1) Beer and wine sold for consumption off the premises must be in
21 original sealed packages of the manufacturer or bottler.

22 (2) Beer and wine may be sold to a purchaser for consumption on or
23 off the premises from the combined premise in kegs or in ((a)) sanitary
24 containers meeting the applicable requirements of federal law brought
25 to the premises by the purchaser or furnished by the licensee or
26 manufacturer and filled at the tap by the retailer at the time of sale.

27 (3) Licensees holding this type of license also may sell malt
28 liquor in kegs or other containers that are capable of holding four
29 gallons or more of liquid and are registered in accordance with RCW
30 66.28.200.

31 (4) The board may impose conditions upon the issuance of this
32 license to best protect and preserve the health, safety, and welfare of
33 the public.

34 (5) The annual fee for this license shall be one hundred twenty
35 dollars.

1 **Sec. 5.** RCW 66.24.371 and 2011 c 195 s 4 and 2011 c 19 s 204 are
2 each reenacted and amended to read as follows:

3 (1) There shall be a beer and/or wine retailer's license to be
4 designated as a beer and/or wine specialty shop license to sell beer,
5 strong beer, and/or wine at retail in bottles, cans, and original
6 containers, not to be consumed upon the premises where sold, at any
7 store other than the state liquor stores. Licensees obtaining a
8 written endorsement from the board may also sell malt liquor in kegs or
9 other containers capable of holding four gallons or more of liquid.
10 The annual fee for the beer and/or wine specialty shop license is one
11 hundred dollars for each store. The sale of any container holding four
12 gallons or more must comply with RCW 66.28.200 and 66.28.220.

13 (2) Licensees under this section may provide, free or for a charge,
14 single-serving samples of two ounces or less to customers for the
15 purpose of sales promotion. Sampling activities of licensees under
16 this section are subject to RCW 66.28.305 and 66.28.040 and the cost of
17 sampling under this section may not be borne, directly or indirectly,
18 by any manufacturer, importer, or distributor of liquor.

19 (3) Upon approval by the board, the beer and/or wine specialty shop
20 licensee that exceeds fifty percent beer and/or wine sales may also
21 receive an endorsement to permit the sale of beer or wine to a
22 purchaser in ((a)) sanitary containers meeting the applicable
23 requirements of federal law brought to the premises by the
24 purchaser((r)) or ((provided)) furnished by the licensee or
25 manufacturer((r)) and ((fill)) filled at the tap by the licensee at the
26 time of sale. If the beer and/or wine specialty shop licensee does not
27 exceed fifty percent beer and/or wine sales, the board may waive the
28 fifty percent beer and/or wine sale criteria if the beer and/or wine
29 specialty shop maintains alcohol inventory that exceeds fifteen
30 thousand dollars.

31 (4) The board shall issue a restricted beer and/or wine specialty
32 shop license, authorizing the licensee to sell beer and only table
33 wine, if the board finds upon issuance or renewal of the license that
34 the sale of strong beer or fortified wine would be against the public
35 interest. In determining the public interest, the board shall consider
36 at least the following factors:

37 (a) The likelihood that the applicant will sell strong beer or
38 fortified wine to persons who are intoxicated;

1 (b) Law enforcement problems in the vicinity of the applicant's
2 establishment that may arise from persons purchasing strong beer or
3 fortified wine at the establishment; and

4 (c) Whether the sale of strong beer or fortified wine would be
5 detrimental to or inconsistent with a government-operated or funded
6 alcohol treatment or detoxification program in the area.

7 If the board receives no evidence or objection that the sale of
8 strong beer or fortified wine would be against the public interest, it
9 shall issue or renew the license without restriction, as applicable.
10 The burden of establishing that the sale of strong beer or fortified
11 wine by the licensee would be against the public interest is on those
12 persons objecting.

13 (5) Licensees holding a beer and/or wine specialty shop license
14 must maintain a minimum three thousand dollar wholesale inventory of
15 beer, strong beer, and/or wine.

16 (6) The board may adopt rules to implement this section.

17 **Sec. 6.** RCW 66.24.400 and 2011 c 119 s 401 are each amended to
18 read as follows:

19 (1) There shall be a retailer's license, to be known and designated
20 as a spirits, beer, and wine restaurant license, to sell spirituous
21 liquor by the individual glass, beer, and wine, at retail, for
22 consumption on the premises, including mixed drinks and cocktails
23 compounded or mixed on the premises only. A club licensed under
24 chapter 70.62 RCW with overnight sleeping accommodations, that is
25 licensed under this section may sell liquor by the bottle to registered
26 guests of the club for consumption in guest rooms, hospitality rooms,
27 or at banquets in the club. A patron of a bona fide restaurant or club
28 licensed under this section may remove from the premises recorked or
29 recapped in its original container any portion of wine which was
30 purchased for consumption with a meal, and registered guests who have
31 purchased liquor from the club by the bottle may remove from the
32 premises any unused portion of such liquor in its original container.
33 Such license may be issued only to bona fide restaurants and clubs, and
34 to dining, club and buffet cars on passenger trains, and to dining
35 places on passenger boats and airplanes, and to dining places at civic
36 centers with facilities for sports, entertainment, and conventions, and
37 to such other establishments operated and maintained primarily for the

1 benefit of tourists, vacationers and travelers as the board shall
2 determine are qualified to have, and in the discretion of the board
3 should have, a spirits, beer, and wine restaurant license under the
4 provisions and limitations of this title.

5 (2) The board may issue an endorsement to the spirits, beer, and
6 wine restaurant license that allows the holder of a spirits, beer, and
7 wine restaurant license to sell bottled wine for off-premises
8 consumption. Spirits and beer may not be sold for off-premises
9 consumption under this section except as provided in subsection (4) of
10 this section. The annual fee for the endorsement under this subsection
11 is one hundred twenty dollars.

12 (3) The holder of a spirits, beer, and wine license or its manager
13 may furnish beer, wine, or spirituous liquor to the licensee's
14 employees free of charge as may be required for use in connection with
15 instruction on beer, wine, or spirituous liquor. The instruction may
16 include the history, nature, values, and characteristics of beer, wine,
17 or spirituous liquor, the use of wine lists, and the methods of
18 presenting, serving, storing, and handling beer, wine, and spirituous
19 liquor. The spirits, beer, and wine restaurant licensee must use the
20 beer, wine, or spirituous liquor it obtains under its license for the
21 sampling as part of the instruction. The instruction must be given on
22 the premises of the spirits, beer, and wine restaurant licensee.

23 (4) The board may issue an endorsement to the spirits, beer, and
24 wine restaurant license that allows the holder of a spirits, beer, and
25 wine restaurant license to sell for off-premises consumption malt
26 liquor in kegs or other containers that are capable of holding four
27 gallons or more of liquid and are registered in accordance with RCW
28 66.28.200. Beer and wine may also be sold under the endorsement to a
29 purchaser in ((a)) sanitary containers meeting the applicable
30 requirements of federal law brought to the premises by the purchaser or
31 furnished by the licensee or manufacturer and filled at the tap by the
32 retailer at the time of sale. The annual fee for the endorsement under
33 this subsection is one hundred twenty dollars.

34 **Sec. 7.** RCW 66.24.590 and 2012 c 2 s 115 are each amended to read
35 as follows:

36 (1) There is a retailer's license to be designated as a hotel
37 license. No license may be issued to a hotel offering rooms to its

1 guests on an hourly basis. Food service provided for room service,
2 banquets or conferences, or restaurant operation under this license
3 must meet the requirements of rules adopted by the board.

4 (2) The hotel license authorizes the licensee to:

5 (a) Sell spirituous liquor, beer, and wine, by the individual
6 glass, at retail, for consumption on the premises, including mixed
7 drinks and cocktails compounded and mixed on the premises;

8 (b) Sell, at retail, from locked honor bars, in individual units,
9 spirits not to exceed fifty milliliters, beer in individual units not
10 to exceed twelve ounces, and wine in individual bottles not to exceed
11 three hundred eighty-five milliliters, to registered guests of the
12 hotel for consumption in guest rooms. The licensee must require proof
13 of age from the guest renting a guest room and requesting the use of an
14 honor bar. The guest must also execute an affidavit verifying that no
15 one under twenty-one years of age will have access to the spirits,
16 beer, and wine in the honor bar;

17 (c) Provide without additional charge, to overnight guests,
18 spirits, beer, and wine by the individual serving for on-premises
19 consumption at a specified regular date, time, and place as may be
20 fixed by the board. Self-service by attendees is prohibited;

21 (d) Sell beer, including strong beer, wine, or spirits, in the
22 manufacturer's sealed container or by the individual drink to guests
23 through room service, or through service to occupants of private
24 residential units which are part of the buildings or complex of
25 buildings that include the hotel;

26 (e) Sell beer, including strong beer, spirits, or wine, in the
27 manufacturer's sealed container at retail sales locations within the
28 hotel premises;

29 (f) Sell beer or wine to a purchaser in ((a)) sanitary containers
30 meeting the applicable requirements of federal law brought to the
31 premises by the purchaser or furnished by the licensee or manufacturer
32 and filled at the tap in the restaurant area by the licensee at the
33 time of sale;

34 (g) Sell for on or off-premises consumption, including through room
35 service and service to occupants of private residential units managed
36 by the hotel, wine carrying a label exclusive to the hotel license
37 holder;

1 (h) Place in guest rooms at check-in, a complimentary bottle of
2 liquor in a manufacturer-sealed container, and make a reference to this
3 service in promotional material.

4 (3) If all or any facilities for alcoholic beverage service and the
5 preparation, cooking, and serving of food are operated under contract
6 or joint venture agreement, the operator may hold a license separate
7 from the license held by the operator of the hotel. Food and beverage
8 inventory used in separate licensed operations at the hotel may not be
9 shared and must be separately owned and stored by the separate
10 licensees.

11 (4) All spirits to be sold under this license must be purchased
12 from a spirits retailer or spirits distributor licensee of the board.

13 (5) All on-premise alcoholic beverage service must be done by an
14 alcohol server as defined in RCW 66.20.300 and must comply with RCW
15 66.20.310.

16 (6)(a) The hotel license allows the licensee to remove from the
17 liquor stocks at the licensed premises, liquor for sale and service at
18 event locations at a specified date and place not currently licensed by
19 the board. If the event is open to the public, it must be sponsored by
20 a society or organization as defined by RCW 66.24.375. If attendance
21 at the event is limited to members or invited guests of the sponsoring
22 individual, society, or organization, the requirement that the sponsor
23 must be a society or organization as defined by RCW 66.24.375 is
24 waived.

25 (b) The holder of this license must, if requested by the board,
26 notify the board or its designee of the date, time, place, and location
27 of any event. Upon request, the licensee must provide to the board all
28 necessary or requested information concerning the society or
29 organization that will be holding the function at which the endorsed
30 license will be utilized.

31 (c) Licensees may cater events on a domestic winery, brewery, or
32 distillery premises.

33 (7) The holder of this license or its manager may furnish spirits,
34 beer, or wine to the licensee's employees who are twenty-one years of
35 age or older free of charge as may be required for use in connection
36 with instruction on spirits, beer, and wine. The instruction may
37 include the history, nature, values, and characteristics of spirits,
38 beer, or wine, the use of wine lists, and the methods of presenting,

1 serving, storing, and handling spirits, beer, or wine. The licensee
2 must use the liquor it obtains under its license for the sampling as
3 part of the instruction. The instruction must be given on the premises
4 of the licensee.

5 (8) Minors may be allowed in all areas of the hotel where liquor
6 may be consumed; however, the consumption must be incidental to the
7 primary use of the area. These areas include, but are not limited to,
8 tennis courts, hotel lobbies, and swimming pool areas. If an area is
9 not a mixed use area, and is primarily used for alcohol service, the
10 area must be designated and restricted to access by persons of lawful
11 age to purchase liquor.

12 (9) The annual fee for this license is two thousand dollars.

13 (10) As used in this section, "hotel," "spirits," "beer," and
14 "wine" have the meanings defined in RCW 66.24.410 and 66.04.010.

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