

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5280

Chapter 192, Laws of 2015

64th Legislature
2015 Regular Session

BEER AND CIDER--GROCERY STORE LICENSEES

EFFECTIVE DATE: 7/24/2015

Passed by the Senate April 16, 2015
Yeas 35 Nays 12

BRAD OWEN

President of the Senate

Passed by the House April 14, 2015
Yeas 67 Nays 30

FRANK CHOPP

Speaker of the House of Representatives

Approved May 7, 2015 2:57 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5280** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

May 7, 2015

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5280

AS AMENDED BY THE HOUSE

Passed Legislature - 2015 Regular Session

State of Washington 64th Legislature 2015 Regular Session

By Senate Commerce & Labor (originally sponsored by Senators Kohl-
Welles, Braun, and Warnick)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to the sale of beer and cider by grocery store
2 licensees; and amending RCW 66.24.360.

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

4 **Sec. 1.** RCW 66.24.360 and 2012 c 2 s 104 are each amended to
5 read as follows:

6 (1) There is a grocery store license to sell wine and/or beer,
7 including without limitation strong beer at retail in original
8 containers, not to be consumed upon the premises where sold.

9 (2) There is a wine retailer reseller endorsement of a grocery
10 store license, to sell wine at retail in original containers to
11 retailers licensed to sell wine for consumption on the premises, for
12 resale at their licensed premises according to the terms of the
13 license. However, no single sale may exceed twenty-four liters,
14 unless the sale is made by a licensee that was a contract liquor
15 store manager of a contract-operated liquor store at the location
16 from which such sales are made. For the purposes of this title, a
17 grocery store license is a retail license, and a sale by a grocery
18 store licensee with a reseller endorsement is a retail sale only if
19 not for resale.

1 (3) Licensees obtaining a written endorsement from the board may
2 also sell malt liquor in kegs or other containers capable of holding
3 less than five and one-half gallons of liquid.

4 (4) The annual fee for the grocery store license is one hundred
5 fifty dollars for each store.

6 (5) The annual fee for the wine retailer reseller endorsement is
7 one hundred sixty-six dollars for each store.

8 (6)(a) Upon approval by the board, a grocery store licensee with
9 revenues derived from beer and/or wine sales exceeding fifty percent
10 of total revenues or that maintains an alcohol inventory of not less
11 than fifteen thousand dollars may also receive an endorsement to
12 permit the sale of beer and cider, as defined in RCW 66.24.210(6), in
13 a sanitary container brought to the premises by the purchaser, or
14 provided by the licensee or manufacturer, and filled at the tap by
15 the licensee at the time of sale by an employee of the licensee
16 holding a class 12 alcohol server permit.

17 (b) Pursuant to RCW 74.08.580(1)(f), a person may not use an
18 electronic benefit transfer card for the purchase of any product
19 authorized for sale under this section.

20 (c) The board may, by rule, establish fees to be paid by
21 licensees receiving the endorsement authorized under this subsection
22 (6), as necessary to cover the costs of implementing and enforcing
23 the provisions of this subsection (6).

24 (7) The board must issue a restricted grocery store license
25 authorizing the licensee to sell beer and only table wine, if the
26 board finds upon issuance or renewal of the license that the sale of
27 strong beer or fortified wine would be against the public interest.
28 In determining the public interest, the board must consider at least
29 the following factors:

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

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

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

38 If the board receives no evidence or objection that the sale of
39 strong beer or fortified wine would be against the public interest,
40 it must issue or renew the license without restriction, as

1 applicable. The burden of establishing that the sale of strong beer
2 or fortified wine by the licensee would be against the public
3 interest is on those persons objecting.

4 ~~((7))~~ (8) Licensees holding a grocery store license must
5 maintain a minimum three thousand dollar inventory of food products
6 for human consumption, not including pop, beer, strong beer, or wine.

7 ~~((8))~~ (9) A grocery store licensee with a wine retailer
8 reseller endorsement may accept delivery of wine at its licensed
9 premises or at one or more warehouse facilities registered with the
10 board, which facilities may also warehouse and distribute nonliquor
11 items, and from which it may deliver to its own licensed premises
12 and, pursuant to sales permitted by this title, to other licensed
13 premises, to other registered facilities, or to lawful purchasers
14 outside the state. Facilities may be registered and utilized by
15 associations, cooperatives, or comparable groups of grocery store
16 licensees.

17 ~~((9))~~ (10) Upon approval by the board, the grocery store
18 licensee may also receive an endorsement to permit the international
19 export of beer, strong beer, and wine.

20 (a) Any beer, strong beer, or wine sold under this endorsement
21 must have been purchased from a licensed beer or wine distributor
22 licensed to do business within the state of Washington.

23 (b) Any beer, strong beer, and wine sold under this endorsement
24 must be intended for consumption outside the state of Washington and
25 the United States and appropriate records must be maintained by the
26 licensee.

27 (c) Any beer, strong beer, or wine sold under this endorsement
28 must be sold at a price no less than the acquisition price paid by
29 the holder of the license.

30 (d) The annual cost of this endorsement is five hundred dollars
31 and is in addition to the license fees paid by the licensee for a
32 grocery store license.

33 ~~((10))~~ (11) A grocery store licensee holding a snack bar
34 license under RCW 66.24.350 may receive an endorsement to allow the
35 sale of confections containing more than one percent but not more
36 than ten percent alcohol by weight to persons twenty-one years of age
37 or older.

38 (12) The board may adopt rules to implement this section.

1 (13) Nothing in this section limits the authority of the board to
2 regulate the sale of beer or cider or container sizes under rules
3 adopted pursuant to RCW 66.08.030.

Passed by the Senate April 16, 2015.

Passed by the House April 14, 2015.

Approved by the Governor May 7, 2015.

Filed in Office of Secretary of State May 7, 2015.