

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 5665**

Chapter 190, Laws of 2017

65th Legislature  
2017 Regular Session

BEER, SPIRITS, AND WINE DISTRIBUTORS--CREDIT CARD FEES

EFFECTIVE DATE: 7/23/2017

Passed by the Senate April 17, 2017  
Yeas 49 Nays 0

CYRUS HABIB

**President of the Senate**

Passed by the House April 11, 2017  
Yeas 97 Nays 0

FRANK CHOPP

**Speaker of the House of Representatives**

Approved May 4, 2017 1:58 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 **ENGROSSED SENATE BILL 5665** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

**Secretary**

FILED

May 4, 2017

**Secretary of State  
State of Washington**

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ENGROSSED SENATE BILL 5665

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AS AMENDED BY THE HOUSE

Passed Legislature - 2017 Regular Session

State of Washington                      65th Legislature                      2017 Regular Session

By Senators Wilson, Keiser, Conway, and King

Read first time 02/01/17. Referred to Committee on Commerce, Labor & Sports.

1            AN ACT Relating to the use of credit cards for purchases of beer,  
2 spirits, and wine by the purchaser licensed to sell beer, spirits,  
3 and/or wine for consumption on the licensed premises; and amending  
4 RCW 66.28.270.

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

6            **Sec. 1.** RCW 66.28.270 and 2009 c 373 s 11 are each amended to  
7 read as follows:

8            (1) Nothing in this chapter prohibits the use of checks, credit  
9 or debit cards, prepaid accounts, electronic funds transfers, and  
10 other similar methods as approved by the board, as cash payments for  
11 purposes of this title. Electronic (~~(fund[s])~~) funds transfers must  
12 be: (~~(+1)~~) (a) Voluntary; (~~(+2)~~) (b) conducted pursuant to a prior  
13 written agreement of the parties that includes a provision that the  
14 purchase be initiated by an irrevocable invoice or sale order before  
15 the time of delivery; (~~(+3)~~) (c) initiated by the retailer,  
16 manufacturer, importer, or distributor no later than the first  
17 business day following delivery; and (~~(+4)~~) (d) completed as  
18 promptly as is reasonably practical, and in no event(~~(+7)~~) later than  
19 five business days following delivery.

20            (2) Any person licensed as a distributor of beer, spirits, and/or  
21 wine may pass credit card fees on to a purchaser licensed to sell

1 beer, spirits, and/or wine for consumption on the licensed premises,  
2 if the decision to use a credit card is entirely voluntary and the  
3 credit card fees are set out as a separate line item on the  
4 distributor's invoice. Nothing in this section requires the use of a  
5 credit card by any licensee. In establishing the fees to be passed on  
6 as authorized in this section a distributor must use the same method  
7 of determining or calculating such fees for all customers who elect  
8 to use a credit card when accepting delivery of beer, spirits and/or  
9 wine. The aggregate of all credit card fees passed on to customers by  
10 a distributor as authorized under this section during a calendar  
11 month, or such longer time as may be established by the board, may  
12 not exceed the aggregate of the fees imposed on that distributor by  
13 credit card issuers during that same time period.

Passed by the Senate April 17, 2017.

Passed by the House April 11, 2017.

Approved by the Governor May 4, 2017.

Filed in Office of Secretary of State May 4, 2017.

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