
SENATE BILL 6122

State of Washington

68th Legislature

2024 Regular Session

By Senators Conway and Stanford

1 AN ACT Relating to alcohol delivery; amending RCW 66.20.310 and
2 66.24.710; adding a new section to chapter 66.24 RCW; and adding a
3 new section to chapter 66.28 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 66.24
6 RCW to read as follows:

7 (1) There is a third-party alcohol delivery service license for
8 the delivery of alcoholic beverages from retail liquor licensees to
9 consumers. The annual fee for the license is \$2,500.

10 (2) The board may make rules to implement this section, and any
11 other necessary rules concerning alcohol delivery for the purpose of
12 preventing any unlawful use of alcohol delivery.

13 **Sec. 2.** RCW 66.20.310 and 2023 c 279 s 3 are each amended to
14 read as follows:

15 (1)(a) There is an alcohol server permit, known as a class 12
16 permit, for:

17 (i) A manager;

18 (ii) A bartender selling or mixing alcohol, spirits, wines, or
19 beer for consumption at an on-premises licensed facility; or

1 (iii) An (~~employee~~) individual conducting alcohol deliveries
2 for a licensee that delivers alcohol under RCW 66.24.710 or section 1
3 of this act.

4 (b) There is an alcohol server permit, known as a class 13
5 permit, for a person who only serves alcohol, spirits, wines, or beer
6 for consumption at an on-premises licensed facility.

7 (c) As provided by rule by the board, a class 13 permit holder
8 may be allowed to act as a bartender without holding a class 12
9 permit.

10 (2)(a) Effective January 1, 1997, except as provided in (d) of
11 this subsection, every alcohol server employed, under contract or
12 otherwise, at a retail licensed premise must be issued a class 12 or
13 class 13 permit.

14 (b) Every class 12 and class 13 permit issued must be issued in
15 the name of the applicant and no other person may use the permit of
16 another permit holder. The holder must present the permit upon
17 request to inspection by a representative of the board or a peace
18 officer. The class 12 or class 13 permit is valid for employment at
19 any retail licensed premises described in (a) of this subsection.

20 (c) Except as provided in (d) of this subsection, no licensee
21 holding a license as authorized by this section and RCW 66.20.300,
22 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, 66.24.690,
23 66.24.450, 66.24.570, 66.24.600, 66.24.610, 66.24.650, 66.24.655, and
24 66.24.680 may employ or accept the services of any person without the
25 person first having a valid class 12 or class 13 permit.

26 (d) Within sixty days of initial employment, every person whose
27 duties include the compounding, sale, service, or handling of liquor
28 must have a class 12 or class 13 permit.

29 (e) No person may perform duties that include the sale or service
30 of alcoholic beverages on a retail licensed premises without
31 possessing a valid alcohol server permit.

32 (f) Every person whose duties include the delivery of alcohol
33 authorized under RCW 66.24.710 must have a class 12 permit before
34 engaging in alcohol delivery. A delivery employee whose duties
35 include the delivery of alcohol authorized under RCW 66.24.710 must
36 complete an approved class 12 permit course that includes a
37 curriculum component that covers best practices for delivery of
38 alcohol.

39 (3) A permit issued by a training entity under this section is
40 valid for employment at any retail licensed premises described in

1 subsection (2)(a) of this section for a period of five years unless
2 suspended by the board.

3 (4) The board may suspend or revoke an existing permit if any of
4 the following occur:

5 (a) The applicant or permittee has been convicted of violating
6 any of the state or local intoxicating liquor laws of this state or
7 has been convicted at any time of a felony; or

8 (b) The permittee has performed or permitted any act that
9 constitutes a violation of this title or of any rule of the board.

10 (5) The suspension or revocation of a permit under this section
11 does not relieve a licensee from responsibility for any act of the
12 employee or agent while employed upon the retail licensed premises.
13 The board may, as appropriate, revoke or suspend either the permit of
14 the employee who committed the violation or the license of the
15 licensee upon whose premises the violation occurred, or both the
16 permit and the license.

17 (6)(a) After January 1, 1997, it is a violation of this title for
18 any retail licensee or agent of a retail licensee as described in
19 subsection (2)(a) of this section to employ in the sale or service of
20 alcoholic beverages, any person who does not have a valid alcohol
21 server permit or whose permit has been revoked, suspended, or denied.

22 (b) It is a violation of this title for a person whose alcohol
23 server permit has been denied, suspended, or revoked to accept
24 employment in the sale or service of alcoholic beverages.

25 (7) Grocery stores licensed under RCW 66.24.360, the primary
26 commercial activity of which is the sale of grocery products and for
27 which the sale and service of beer and wine for on-premises
28 consumption with food is incidental to the primary business, and
29 employees of such establishments, are exempt from RCW 66.20.300
30 through 66.20.350, except for employees whose duties include serving
31 during tasting activities under RCW 66.24.363.

32 **Sec. 3.** RCW 66.24.710 and 2023 c 279 s 1 are each amended to
33 read as follows:

34 (1) (~~((a) Except as provided in (b) of this subsection, the~~) The
35 following licensees may sell alcohol products at retail for takeout
36 or delivery or both under liquor and cannabis board licenses and
37 endorsements: Beer and wine restaurants; spirits, beer, and wine
38 restaurants; taverns; domestic wineries; domestic breweries and

1 microbreweries; distilleries; snack bars; nonprofit arts licensees;
2 and caterers.

3 ~~((b) No alcohol products may be sold by delivery under this
4 section after July 1, 2025.))~~

5 (2) Spirits, beer, and wine restaurant licensees may sell
6 premixed cocktails for takeout and ~~((, until July 1, 2025,))~~ for
7 delivery. The board may establish by rule the manner in which
8 premixed cocktails for off-premises consumption must be provided.
9 This subsection does not authorize the sale of bottles of spirits by
10 licensees for off-premises consumption.

11 (3) Spirits, beer, and wine restaurant licensees may sell wine by
12 the glass or premixed wine and spirits cocktails for takeout and ~~((, until July 1, 2025,))~~
13 delivery. Beer and wine restaurant licensees
14 may sell wine or premixed wine drinks by the glass for takeout and ~~((, until July 1, 2025,))~~
15 delivery. The board may establish by rule the
16 manner in which wine by the glass and premixed cocktails for off-
17 premises consumption must be provided.

18 (4) Licensees that were authorized by statute or rule before
19 January 1, 2020, to sell growlers for on-premises consumption may
20 sell growlers for off-premises consumption through takeout or ~~((, until July 1, 2025,))~~
21 delivery. Sale of growlers under this
22 subsection must meet federal alcohol and tobacco tax and trade bureau
23 requirements.

24 (5)(a) Licensees must obtain from the board an endorsement to
25 their license in order to conduct activities authorized under
26 subsections (1) through (4) of this section. The board may adopt
27 rules governing the manner in which the activities authorized under
28 this section must be conducted. Licensees must not be charged a fee
29 in order to obtain an endorsement required under this section.

30 (b)(i) Alcohol delivery under this section must be performed by
31 an employee of an alcohol delivery endorsement holder, or an
32 individual hired by a third-party delivery service licensed under
33 section 1 of this act, who is 21 years of age or older and possesses
34 a class 12 permit, in accordance with RCW 66.20.310.

35 (ii) Delivery services conducted by beer and wine restaurant
36 licensees and spirits, beer, and wine restaurant licensees under this
37 section must be accompanied by a purchased meal prepared and sold by
38 the license holder.

39 (c) Alcohol sold for takeout by beer and wine restaurant
40 licensees and spirits, beer, and wine restaurant licensees under this

1 section must be accompanied by a purchased meal prepared and sold by
2 the license holder.

3 (d) Any alcohol product sold for takeout or delivery under this
4 section must be in a factory sealed container or a tamper-resistant
5 container.

6 (6) Beer and wine specialty shops licensed under RCW 66.24.371
7 and domestic breweries and microbreweries may sell prefilled growlers
8 for off-premises consumption through takeout and (~~(7, until July 1,~~
9 ~~2025,)~~) delivery, provided that prefilled growlers are sold the same
10 day they are prepared for sale and not stored overnight for sale on
11 future days.

12 (7) The board must adopt or revise current rules to allow for
13 outdoor service of alcohol by on-premises licensees holding licenses
14 issued by the board for the following license types: Beer and wine
15 restaurants; spirits, beer, and wine restaurants; taverns; domestic
16 wineries; domestic breweries and microbreweries; distilleries; snack
17 bars; and private clubs licensed under RCW 66.24.450 and 66.24.452.
18 The board may adopt requirements providing for clear accountability
19 at locations where multiple licensees use a shared space for serving
20 customers.

21 (8) Upon delivery of any alcohol product authorized to be
22 delivered under this section, the signature of the person age 21 or
23 over receiving the delivery must be obtained. The person performing
24 the delivery must verify the age of the person receiving the delivery
25 by checking a valid form of identification approved by the board. The
26 customer ordering, paying, and receiving the alcohol must be:

27 (a) The same person;

28 (b) Over the age of 21; and

29 (c) Show no signs of impairment.

30 (9) The definitions in this subsection apply throughout this
31 section unless the context clearly requires otherwise.

32 (a) (~~"Board" means the liquor and cannabis board.~~

33 ~~(b))~~ "Growlers" means sanitary containers brought to the
34 premises by the purchaser or furnished by the licensee and filled by
35 the retailer at the time of sale.

36 (b) "Third-party delivery service" means any website, mobile
37 application, internet, or other service that facilitates the sale and
38 same-day delivery of alcoholic beverages from spirits, beer, and wine
39 retail licensees to consumers.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 66.28
2 RCW to read as follows:

3 (1) The board must create, regulate, and adopt provisions for a
4 responsible alcohol delivery program. Provisions of the program may
5 include:

6 (a) Reduced penalties and fines for businesses participating in
7 good standing in the responsible alcohol delivery program; and

8 (b) Penalty mitigation opportunities for businesses engaging in
9 board-approved controlled purchase programs, such as in-house
10 compliance checks, with mandatory results reporting to the board.

11 (2) The criteria for program qualifications may include:

12 (a) Supplemental company training for delivery drivers, including
13 training on delivery procedures and mobile application use; and

14 (b) Mandatory policies and procedures on returning alcohol if the
15 purchaser does not meet the requirements of RCW 66.24.710(8).

16 (3) The board must create mandatory rechecks within 90 days of a
17 business failing any compliance check required by the board under
18 this section.

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