
HOUSE BILL 1641

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Hunt, Taylor, and Pettigrew

Read first time 01/27/11. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to domestic winery licensing; amending RCW
2 66.24.170, 66.24.310, 66.20.300, 84.36.020, and 84.36.037; reenacting
3 and amending RCW 66.04.010; adding new sections to chapter 66.24 RCW;
4 and providing expiration dates.

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

6 **Sec. 1.** RCW 66.04.010 and 2009 c 373 s 1 and 2009 c 271 s 2 are
7 each reenacted and amended to read as follows:

8 In this title, unless the context otherwise requires:

9 (1) "Alcohol" is that substance known as ethyl alcohol, hydrated
10 oxide of ethyl, or spirit of wine, which is commonly produced by the
11 fermentation or distillation of grain, starch, molasses, or sugar, or
12 other substances including all dilutions and mixtures of this
13 substance. The term "alcohol" does not include alcohol in the
14 possession of a manufacturer or distiller of alcohol fuel, as described
15 in RCW 66.12.130, which is intended to be denatured and used as a fuel
16 for use in motor vehicles, farm implements, and machines or implements
17 of husbandry.

18 (2) "Authorized representative" means a person who:

1 (a) Is required to have a federal basic permit issued pursuant to
2 the federal alcohol administration act, 27 U.S.C. Sec. 204;

3 (b) Has its business located in the United States outside of the
4 state of Washington;

5 (c) Acquires ownership of beer or wine for transportation into and
6 resale in the state of Washington; and which beer or wine is produced
7 by a brewery or winery in the United States outside of the state of
8 Washington; and

9 (d) Is appointed by the brewery or winery referenced in (c) of this
10 subsection as its authorized representative for marketing and selling
11 its products within the United States in accordance with a written
12 agreement between the authorized representative and such brewery or
13 winery pursuant to this title.

14 (3) "Beer" means any malt beverage, flavored malt beverage, or malt
15 liquor as these terms are defined in this chapter.

16 (4) "Beer distributor" means a person who buys beer from a domestic
17 brewery, microbrewery, beer certificate of approval holder, or beer
18 importers, or who acquires foreign produced beer from a source outside
19 of the United States, for the purpose of selling the same pursuant to
20 this title, or who represents such brewer or brewery as agent.

21 (5) "Beer importer" means a person or business within Washington
22 who purchases beer from a beer certificate of approval holder or who
23 acquires foreign produced beer from a source outside of the United
24 States for the purpose of selling the same pursuant to this title.

25 (6) "Board" means the liquor control board, constituted under this
26 title.

27 (7) "Brewer" or "brewery" means any person engaged in the business
28 of manufacturing beer and malt liquor. Brewer includes a brand owner
29 of malt beverages who holds a brewer's notice with the federal bureau
30 of alcohol, tobacco, and firearms at a location outside the state and
31 whose malt beverage is contract-produced by a licensed in-state
32 brewery, and who may exercise within the state, under a domestic
33 brewery license, only the privileges of storing, selling to licensed
34 beer distributors, and exporting beer from the state.

35 (8) "Club" means an organization of persons, incorporated or
36 unincorporated, operated solely for fraternal, benevolent, educational,
37 athletic or social purposes, and not for pecuniary gain.

1 (9) "Confection" means a preparation of sugar, honey, or other
2 natural or artificial sweeteners in combination with chocolate, fruits,
3 nuts, dairy products, or flavorings, in the form of bars, drops, or
4 pieces.

5 (10) "Consume" includes the putting of liquor to any use, whether
6 by drinking or otherwise.

7 (11) "Contract liquor store" means a business that sells liquor on
8 behalf of the board through a contract with a contract liquor store
9 manager.

10 (12) "Craft distillery" means a distillery that pays the reduced
11 licensing fee under RCW 66.24.140.

12 (13) "Dentist" means a practitioner of dentistry duly and regularly
13 licensed and engaged in the practice of his profession within the state
14 pursuant to chapter 18.32 RCW.

15 (14) "Distiller" means a person engaged in the business of
16 distilling spirits.

17 (15) "Domestic brewery" means a place where beer and malt liquor
18 are manufactured or produced by a brewer within the state.

19 (16) "Domestic winery" means a (~~place where wines are manufactured~~
20 ~~or produced within the state of Washington~~) premises licensed under
21 RCW 66.24.170.

22 (17) "Drug store" means a place whose principal business is, the
23 sale of drugs, medicines and pharmaceutical preparations and maintains
24 a regular prescription department and employs a registered pharmacist
25 during all hours the drug store is open.

26 (18) "Druggist" means any person who holds a valid certificate and
27 is a registered pharmacist and is duly and regularly engaged in
28 carrying on the business of pharmaceutical chemistry pursuant to
29 chapter 18.64 RCW.

30 (19) "Employee" means any person employed by the board.

31 (20) "Flavored malt beverage" means:

32 (a) A malt beverage containing six percent or less alcohol by
33 volume to which flavoring or other added nonbeverage ingredients are
34 added that contain distilled spirits of not more than forty-nine
35 percent of the beverage's overall alcohol content; or

36 (b) A malt beverage containing more than six percent alcohol by
37 volume to which flavoring or other added nonbeverage ingredients are

1 added that contain distilled spirits of not more than one and one-half
2 percent of the beverage's overall alcohol content.

3 (21) "Fund" means 'liquor revolving fund.'

4 (22) "Hotel" means buildings, structures, and grounds, having
5 facilities for preparing, cooking, and serving food, that are kept,
6 used, maintained, advertised, or held out to the public to be a place
7 where food is served and sleeping accommodations are offered for pay to
8 transient guests, in which twenty or more rooms are used for the
9 sleeping accommodation of such transient guests. The buildings,
10 structures, and grounds must be located on adjacent property either
11 owned or leased by the same person or persons.

12 (23) "Importer" means a person who buys distilled spirits from a
13 distillery outside the state of Washington and imports such spirituous
14 liquor into the state for sale to the board or for export.

15 (24) "Imprisonment" means confinement in the county jail.

16 (25) "Liquor" includes the four varieties of liquor herein defined
17 (alcohol, spirits, wine and beer), and all fermented, spirituous,
18 vinous, or malt liquor, or combinations thereof, and mixed liquor, a
19 part of which is fermented, spirituous, vinous or malt liquor, or
20 otherwise intoxicating; and every liquid or solid or semisolid or other
21 substance, patented or not, containing alcohol, spirits, wine or beer,
22 and all drinks or drinkable liquids and all preparations or mixtures
23 capable of human consumption, and any liquid, semisolid, solid, or
24 other substance, which contains more than one percent of alcohol by
25 weight shall be conclusively deemed to be intoxicating. Liquor does
26 not include confections or food products that contain one percent or
27 less of alcohol by weight.

28 (26) "Malt beverage" or "malt liquor" means any beverage such as
29 beer, ale, lager beer, stout, and porter obtained by the alcoholic
30 fermentation of an infusion or decoction of pure hops, or pure extract
31 of hops and pure barley malt or other wholesome grain or cereal in pure
32 water containing not more than eight percent of alcohol by weight, and
33 not less than one-half of one percent of alcohol by volume. For the
34 purposes of this title, any such beverage containing more than eight
35 percent of alcohol by weight shall be referred to as "strong beer."

36 (27) "Manufacturer" means a person engaged in the production or
37 other preparation of liquor for sale, in any form whatsoever.

1 (28) "Nightclub" means an establishment that provides entertainment
2 and has as its primary source of revenue (a) the sale of alcohol for
3 consumption on the premises, (b) cover charges, or (c) both, and has an
4 occupancy load of one hundred or more.

5 (29) "Package" means any container or receptacle used for holding
6 liquor.

7 (30) "Passenger vessel" means any boat, ship, vessel, barge, or
8 other floating craft of any kind carrying passengers for compensation.

9 (31) "Permit" means a permit for the purchase of liquor under this
10 title.

11 (32) "Person" means an individual, copartnership, association, or
12 corporation.

13 (33) "Physician" means a medical practitioner duly and regularly
14 licensed and engaged in the practice of his profession within the state
15 pursuant to chapter 18.71 RCW.

16 (34) "Prescription" means a memorandum signed by a physician and
17 given by him to a patient for the obtaining of liquor pursuant to this
18 title for medicinal purposes.

19 (35) "Production" with respect to wine means the creation of wine
20 by fermentation in or on the premises licensed under RCW 66.24.170(2).
21 The term includes wine produced by a predecessor in interest at such
22 licensed premises.

23 (36) "Public place" includes streets and alleys of incorporated
24 cities and towns; state or county or township highways or roads;
25 buildings and grounds used for school purposes; public dance halls and
26 grounds adjacent thereto; those parts of establishments where beer may
27 be sold under this title, soft drink establishments, public buildings,
28 public meeting halls, lobbies, halls and dining rooms of hotels,
29 restaurants, theatres, stores, garages and filling stations which are
30 open to and are generally used by the public and to which the public is
31 permitted to have unrestricted access; railroad trains, stages, and
32 other public conveyances of all kinds and character, and the depots and
33 waiting rooms used in conjunction therewith which are open to
34 unrestricted use and access by the public; publicly owned bathing
35 beaches, parks, and/or playgrounds; and all other places of like or
36 similar nature to which the general public has unrestricted right of
37 access, and which are generally used by the public.

1 (~~(+36+)~~) (37) "Regulations" means regulations made by the board
2 under the powers conferred by this title.

3 (~~(+37+)~~) (38) "Restaurant" means any establishment provided with
4 special space and accommodations where, in consideration of payment,
5 food, without lodgings, is habitually furnished to the public, not
6 including drug stores and soda fountains.

7 (~~(+38+)~~) (39) "Sale" and "sell" include exchange, barter, and
8 traffic; and also include the selling or supplying or distributing, by
9 any means whatsoever, of liquor, or of any liquid known or described as
10 beer or by any name whatever commonly used to describe malt or brewed
11 liquor or of wine, by any person to any person; and also include a sale
12 or selling within the state to a foreign consignee or his agent in the
13 state. "Sale" and "sell" shall not include the giving, at no charge,
14 of a reasonable amount of liquor by a person not licensed by the board
15 to a person not licensed by the board, for personal use only. "Sale"
16 and "sell" also does not include a raffle authorized under RCW
17 9.46.0315: PROVIDED, That the nonprofit organization conducting the
18 raffle has obtained the appropriate permit from the board.

19 (~~(+39+)~~) (40) "Soda fountain" means a place especially equipped
20 with apparatus for the purpose of dispensing soft drinks, whether mixed
21 or otherwise.

22 (~~(+40+)~~) (41) "Spirits" means any beverage which contains alcohol
23 obtained by distillation, except flavored malt beverages, but including
24 wines exceeding twenty-four percent of alcohol by volume.

25 (~~(+41+)~~) (42) "Store" means a state liquor store established under
26 this title.

27 (~~(+42+)~~) (43) "Tavern" means any establishment with special space
28 and accommodation for sale by the glass and for consumption on the
29 premises, of beer, as herein defined.

30 (~~(+43+)~~) (44)(a) "Wine" means any alcoholic beverage obtained by
31 fermentation of fruits (grapes, berries, apples, et cetera) or other
32 agricultural product containing sugar, to which any saccharine
33 substances may have been added before, during or after fermentation,
34 and containing not more than twenty-four percent of alcohol by volume,
35 including sweet wines fortified with wine spirits, such as port,
36 sherry, muscatel and angelica, not exceeding twenty-four percent of
37 alcohol by volume and not less than one-half of one percent of alcohol
38 by volume. For purposes of this title, any beverage containing no more

1 than fourteen percent of alcohol by volume when bottled or packaged by
2 the manufacturer shall be referred to as "table wine," and any beverage
3 containing alcohol in an amount more than fourteen percent by volume
4 when bottled or packaged by the manufacturer shall be referred to as
5 "fortified wine." However, "fortified wine" shall not include: (i)
6 Wines that are both sealed or capped by cork closure and aged two years
7 or more; and (ii) wines that contain more than fourteen percent alcohol
8 by volume solely as a result of the natural fermentation process and
9 that have not been produced with the addition of wine spirits, brandy,
10 or alcohol.

11 (b) This subsection shall not be interpreted to require that any
12 wine be labeled with the designation "table wine" or "fortified wine."

13 ~~((44))~~ (45) "Wine distributor" means a person who buys wine from
14 a domestic winery, wine certificate of approval holder, or wine
15 importer, or who acquires foreign produced wine from a source outside
16 of the United States, for the purpose of selling the same not in
17 violation of this title, or who represents such vintner or winery as
18 agent.

19 ~~((45))~~ (46) "Wine importer" means a person or business within
20 Washington who purchases wine from a wine certificate of approval
21 holder or who acquires foreign produced wine from a source outside of
22 the United States for the purpose of selling the same pursuant to this
23 title.

24 ~~((46))~~ (47) "Winery" means a business conducted by any person for
25 the manufacture of wine for sale, other than a domestic winery.

26 **Sec. 2.** RCW 66.24.170 and 2009 c 373 s 4 are each amended to read
27 as follows:

28 (1) There shall be ~~((a))~~ licenses for domestic wineries; fee to be
29 computed only on the liters manufactured: Less than two hundred fifty
30 thousand liters per year, one hundred dollars per year; and two hundred
31 fifty thousand liters or more per year, four hundred dollars per year.

32 (2) ~~((The))~~ Class A license. A class A domestic winery license
33 allows for the ((manufacture)) production of wine in Washington state
34 from grapes or other agricultural products. A class A licensee must
35 produce at least two hundred gallons of wine annually. Wine purchased
36 from another class A domestic winery under (a) of this subsection does
37 not apply to the two hundred gallon production requirement.

1 (a) A class A domestic winery may purchase for wholesale or retail
2 sale wine produced by one or more other class A domestic wineries.

3 ~~((3))~~ (b) Any class A domestic winery licensed under this section
4 may also act as a retailer of wine ~~((of its own production))~~ produced
5 or purchased by it. Any class A domestic winery licensed under this
6 section may act as a distributor of its own production.
7 Notwithstanding any language in this title to the contrary, a class A
8 domestic winery may use a common carrier to deliver up to one hundred
9 cases of ~~((its own production))~~ wine produced or purchased by it, in
10 the aggregate, per month to licensed Washington retailers. ~~((A~~
11 ~~domestic winery may not arrange for any such common carrier shipments~~
12 ~~to licensed retailers of wine not of its own production.))~~ Except as
13 provided in this section, any class A domestic winery operating as a
14 distributor and/or retailer under this subsection shall comply with the
15 applicable laws and rules relating to distributors and/or retailers,
16 except that a winery operating as a distributor may maintain a
17 warehouse off the premises of the winery for the distribution of wine
18 ~~((of its own production))~~ produced or purchased by it provided that:
19 ~~((a))~~ (i) The warehouse has been approved by the board under RCW
20 66.24.010; and ~~((b))~~ (ii) the number of warehouses off the premises
21 of the winery does not exceed one.

22 ~~((4-A))~~ (c) A class A domestic winery licensed under this
23 section, at locations separate from any of its production ~~((or~~
24 ~~manufacturing))~~ sites, may serve samples of ~~((its own products))~~ wine
25 produced or purchased by it, with or without charge, and sell wine ~~((of~~
26 ~~its own production))~~ at retail produced or purchased by it, provided
27 that: ~~((a))~~ (i) Each additional location has been approved by the
28 board under RCW 66.24.010; ~~((b))~~ (ii) the total number of additional
29 locations does not exceed two; ~~((c))~~ (iii) a winery may not act as a
30 distributor at any such additional location; and ~~((d))~~ (iv) any
31 person selling or serving wine at an additional location for on-premise
32 consumption must obtain a class 12 or class 13 alcohol server permit.
33 Each additional location is deemed to be part of the winery license for
34 the purpose of this title. At additional locations operated by
35 multiple wineries under this section, if the board cannot connect a
36 violation of RCW 66.44.200 or 66.44.270 to a single licensee, the board
37 may hold all licensees operating the additional location jointly

1 liable. Nothing in this subsection shall be construed to prevent a
2 domestic winery from holding multiple domestic winery licenses.

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

9 ~~(b) For each month during which a domestic winery will sell wine at
10 a qualifying farmers market, the winery must provide the board or its
11 designee a list of the dates, times, and locations at which bottled
12 wine may be offered for sale. This list must be received by the board
13 before the winery may offer wine for sale at a qualifying farmers
14 market.~~

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

18 ~~(d) Each approved location in a qualifying farmers market is deemed
19 to be part of the winery license for the purpose of this title. The
20 approved locations under an endorsement granted under this subsection
21 do not include the tasting or sampling privilege of a winery. The
22 winery may not store wine at a farmers market beyond the hours that the
23 winery offers bottled wine for sale. The winery may not act as a
24 distributor from a farmers market location.~~

25 ~~(e) Before a winery may sell bottled wine at a qualifying farmers
26 market, the farmers market must apply to the board for authorization
27 for any winery with an endorsement approved under this subsection to
28 sell bottled wine at retail at the farmers market. This application
29 shall include, at a minimum: (i) A map of the farmers market showing
30 all booths, stalls, or other designated locations at which an approved
31 winery may sell bottled wine; and (ii) the name and contact information
32 for the on-site market managers who may be contacted by the board or
33 its designee to verify the locations at which bottled wine may be sold.
34 Before authorizing a qualifying farmers market to allow an approved
35 winery to sell bottled wine at retail at its farmers market location,
36 the board shall notify the persons or entities of such application for
37 authorization pursuant to RCW 66.24.010 (8) and (9). An authorization~~

1 granted under this subsection (5)(e) may be withdrawn by the board for
2 any violation of this title or any rules adopted under this title.

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

6 (g) For the purposes of this subsection:

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

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

14 (B) The total combined gross annual sales of vendors who are
15 farmers exceeds the total combined gross annual sales of vendors who
16 are processors or resellers;

17 (C) The total combined gross annual sales of vendors who are
18 farmers, processors, or resellers exceeds the total combined gross
19 annual sales of vendors who are not farmers, processors, or resellers;

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

22 (E) No vendor is a franchisee.

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

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

30 (iv) "Reseller" means a natural person who buys agricultural
31 products from a farmer and resells the products directly to the
32 consumer.

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

1 (3)(a) Class B license. A class B domestic winery license allows
2 for the purchase of wine for resale produced from grapes or other
3 agricultural products by:

4 (i) A class A domestic winery; or

5 (ii) A certificate of approval holder in an American viticultural
6 area located within both Washington and an adjoining state, from grapes
7 or other agricultural products. A class B domestic winery license does
8 not allow for the production of wine.

9 (b) A class B domestic winery may:

10 (i) Sell wine produced for or purchased by it at wholesale or
11 retail for off-premises consumption. Any class B licensee operating as
12 a distributor and/or retailer under this subsection shall comply with
13 the applicable laws and rules relating to distributors and/or
14 retailers; and

15 (ii) Serve samples of wine produced for or purchased by it at its
16 licensed premises, with or without charge. Any person selling or
17 serving samples must obtain a class 12 or class 13 alcohol server
18 permit.

19 (4) For purposes of this section, "American viticultural area" has
20 the same meaning as provided in RCW 66.28.110.

21 NEW SECTION. Sec. 3. A new section is added to chapter 66.24 RCW
22 to read as follows:

23 (1) The board shall adopt rules establishing the application and
24 approval process and such additional rules as are necessary to
25 implement RCW 66.24.170.

26 (2) This section expires January 1, 2013.

27 NEW SECTION. Sec. 4. A new section is added to chapter 66.24 RCW
28 to read as follows:

29 (1) A class A domestic winery licensed under this section may apply
30 to the board for an endorsement to sell wine of its own production at
31 retail for off-premises consumption at a qualifying farmers market.
32 The annual fee for this endorsement is seventy-five dollars. An
33 endorsement issued pursuant to this subsection does not count toward
34 the two additional retail locations limit specified in RCW
35 66.24.170(2)(c).

1 (2) For each month during which the licensee will sell wine at a
2 qualifying farmers market, the licensee must provide the board or its
3 designee a list of the dates, times, and locations at which bottled
4 wine may be offered for sale. This list must be received by the board
5 before the licensee may offer wine for sale at a qualifying farmers
6 market.

7 (3) The wine sold at qualifying farmers markets must be made
8 entirely from grapes grown in Washington or an American viticultural
9 area located within both Washington and an adjoining state or from
10 other agricultural products grown in this state.

11 (4) Each approved location in a qualifying farmers market is deemed
12 to be part of the winery license for the purpose of this title. The
13 approved locations under an endorsement granted under this section do
14 not include the tasting or sampling privilege of a winery. The winery
15 may not store wine at a farmers market beyond the hours that the winery
16 offers bottled wine for sale. The winery may not act as a distributor
17 from a farmers market location.

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

33 (6) The board may adopt rules establishing the application and
34 approval process under this section and such additional rules as may be
35 necessary to implement this section.

36 (7) For the purposes of this subsection:

37 (a) "Qualifying farmers market" means an entity that sponsors a
38 regular assembly of vendors at a defined location for the purpose of

1 promoting the sale of agricultural products grown or produced in this
2 state directly to the consumer under conditions that meet the following
3 minimum requirements:

4 (i) There are at least five participating vendors who are farmers
5 selling their own agricultural products;

6 (ii) The total combined gross annual sales of vendors who are
7 farmers exceeds the total combined gross annual sales of vendors who
8 are processors or resellers;

9 (iii) The total combined gross annual sales of vendors who are
10 farmers, processors, or resellers exceeds the total combined gross
11 annual sales of vendors who are not farmers, processors, or resellers;

12 (iv) The sale of imported items and secondhand items by any vendor
13 is prohibited; and

14 (v) No vendor is a franchisee.

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

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

22 (d) "Reseller" means a natural person who buys agricultural
23 products from a farmer and resells the products directly to the
24 consumer.

25 **Sec. 5.** RCW 66.24.310 and 1997 c 321 s 17 are each amended to read
26 as follows:

27 (1)(a) Except as provided in (b) of this subsection, no person
28 shall canvass for, solicit, receive, or take orders for the purchase or
29 sale of liquor, nor contact any licensees of the board in goodwill
30 activities, unless such person shall be the accredited representative
31 of a person, firm, or corporation holding a certificate of approval
32 issued pursuant to RCW 66.24.270 or 66.24.206, a beer distributor's
33 license, a microbrewer's license, a domestic brewer's license, a beer
34 importer's license, a domestic winery license, a wine importer's
35 license, or a wine distributor's license within the state of
36 Washington, or the accredited representative of a distiller,

1 manufacturer, importer, or distributor of spirituous liquor, or foreign
2 produced beer or wine, and shall have applied for and received a
3 representative's license(~~(: PROVIDED, HOWEVER, That the provisions)~~).

4 (b) Subsection (1)(a) of this section shall not apply to:

5 (i) Drivers who deliver beer or wine; or

6 (ii) Stockholders, partners, members, and other owners who are
7 natural persons engaged in the operation of any domestic winery and all
8 full and part-time employees of any domestic winery.

9 (2) Every representative's license issued under this title shall be
10 subject to all conditions and restrictions imposed by this title or by
11 the rules and regulations of the board; the board, for the purpose of
12 maintaining an orderly market, may limit the number of representative's
13 licenses issued for representation of specific classes of eligible
14 employers(~~(+)~~).

15 (3) Every application for a representative's license must be
16 approved by a holder of a certificate of approval issued pursuant to
17 RCW 66.24.270 or 66.24.206, a licensed beer distributor, a licensed
18 domestic brewer, a licensed beer importer, a licensed microbrewer, a
19 licensed domestic winery, a licensed wine importer, a licensed wine
20 distributor, or by a distiller, manufacturer, importer, or distributor
21 of spirituous liquor, or foreign produced beer or wine, as the rules
22 and regulations of the board shall require(~~(+)~~).

23 (4) The fee for a representative's license shall be twenty-five
24 dollars per year(~~(+)~~).

25 (5) An accredited representative of a distiller, manufacturer,
26 importer, or distributor of spirituous liquor may, after he or she has
27 applied for and received a representative's license, contact retail
28 licensees of the board only in goodwill activities pertaining to
29 spirituous liquor products.

30 **Sec. 6.** RCW 66.20.300 and 2010 c 141 s 3 are each amended to read
31 as follows:

32 Unless the context clearly requires otherwise, the definitions in
33 this section apply throughout RCW 66.20.310 through 66.20.350.

34 (1) "Alcohol" has the same meaning as "liquor" in RCW 66.04.010.

35 (2) "Alcohol server" means any person who as part of his or her
36 employment participates in the sale or service of alcoholic beverages
37 for on-premise consumption at a retail licensed premise as a regular

1 requirement of his or her employment, and includes those persons
2 eighteen years of age or older permitted by the liquor laws of this
3 state to serve alcoholic beverages with meals.

4 (3) "Board" means the Washington state liquor control board.

5 (4) "Training entity" means any liquor licensee associations,
6 independent contractors, private persons, and private or public
7 schools, that have been certified by the board.

8 (5) "Retail licensed premises" means any:

9 (a) Premises licensed to sell alcohol by the glass or by the drink,
10 or in original containers primarily for consumption on the premises as
11 authorized by RCW 66.24.320, 66.24.330, 66.24.350, 66.24.400,
12 66.24.425, 66.24.450, and 66.24.570;

13 (b) Distillery licensed pursuant to RCW 66.24.140 that is
14 authorized to serve samples of its own production;

15 (c) Facility established by a domestic winery for serving and
16 selling wine pursuant to RCW 66.24.170(~~(+4)~~) (2)(c); and

17 (d) Grocery store licensed under RCW 66.24.360, but only with
18 respect to employees whose duties include serving during tasting
19 activities under RCW 66.24.363.

20 **Sec. 7.** RCW 84.36.020 and 2010 c 186 s 2 are each amended to read
21 as follows:

22 The following real and personal property is exempt from taxation:

23 (1) All lands, buildings, and personal property required for
24 necessary administration and maintenance, used, or to the extent used,
25 exclusively for public burying grounds or cemeteries without
26 discrimination as to race, color, national origin or ancestry;

27 (2) All churches, personal property, and the ground, not exceeding
28 five acres in area, upon which a church of any nonprofit recognized
29 religious denomination is or will be built, together with a parsonage,
30 convent, and buildings and improvements required for the maintenance
31 and safeguarding of such property. The area exempted in any case
32 includes all ground covered by the church, parsonage, convent, and
33 buildings and improvements required for the maintenance and
34 safeguarding of such property and the structures and ground necessary
35 for street access, parking, light, and ventilation, but the area of
36 unoccupied ground exempted in such cases, in connection with church,
37 parsonage, convent, and buildings and improvements required for the

1 maintenance and safeguarding of such property, does not exceed the
2 equivalent of one hundred twenty by one hundred twenty feet except
3 where additional unoccupied land may be required to conform with state
4 or local codes, zoning, or licensing requirements. The parsonage and
5 convent need not be on land contiguous to the church property. Except
6 as otherwise provided in this subsection, to be exempt the property
7 must be wholly used for church purposes. The loan or rental of
8 property otherwise exempt under this subsection to a nonprofit
9 organization, association, or corporation, or school for use for an
10 eleemosynary activity or for use for activities related to a farmers
11 market, does not nullify the exemption provided in this subsection if
12 the rental income, if any, is reasonable and is devoted solely to the
13 operation and maintenance of the property. However, activities related
14 to a farmers market may not occur on the property more than fifty-three
15 days each assessment year. For the purposes of this section, "farmers
16 market" has the same meaning as "qualifying farmers market" as defined
17 in ((~~RCW 66.24.170~~)) section 4 of this act.

18 **Sec. 8.** RCW 84.36.037 and 2010 c 186 s 1 are each amended to read
19 as follows:

20 (1) Real or personal property owned by a nonprofit organization,
21 association, or corporation in connection with the operation of a
22 public assembly hall or meeting place is exempt from taxation. The
23 area exempt under this section includes the building or buildings, the
24 land under the buildings, and an additional area necessary for parking,
25 not exceeding a total of one acre. When property for which exemption
26 is sought is essentially unimproved except for restroom facilities and
27 structures and this property has been used primarily for annual
28 community celebration events for at least ten years, the exempt
29 property shall not exceed twenty-nine acres.

30 (2) To qualify for this exemption the property must be used
31 exclusively for public gatherings and must be available to all
32 organizations or persons desiring to use the property, but the owner
33 may impose conditions and restrictions which are necessary for the
34 safekeeping of the property and promote the purposes of this exemption.
35 Membership shall not be a prerequisite for the use of the property.

36 (3) The use of the property for pecuniary gain or for business

1 activities, except as provided in this section, nullifies the exemption
2 otherwise available for the property for the assessment year. The
3 exemption is not nullified by:

4 (a) The collection of rent or donations if all funds collected are
5 used for capital improvements to the exempt property, maintenance and
6 operation of the exempt property, or for exempt purposes.

7 (b) Fund-raising activities conducted by a nonprofit organization.

8 (c)(i) Except as provided in (c)(ii) of this subsection, the use of
9 the property for pecuniary gain, for business activities for periods of
10 not more than fifteen days each assessment year so long as all income
11 received from rental or use of the exempt property is used for capital
12 improvements to the exempt property, maintenance and operation of the
13 exempt property, or for exempt purposes.

14 (ii) The use of the property for pecuniary gain or for business
15 activities if the property is used for activities related to a
16 qualifying farmers market, as defined in (~~RCW 66.24.170~~) section 4 of
17 this act, for not more than fifty-three days each assessment year, and
18 all income received from rental or use of the exempt property is used
19 for capital improvements to the exempt property, maintenance and
20 operation of the exempt property, or exempt purposes.

21 (d) In a county with a population of less than twenty thousand, the
22 use of the property to promote the following business activities:
23 Dance lessons, art classes, or music lessons.

24 (e) An inadvertent use of the property in a manner inconsistent
25 with the purpose for which exemption is granted, if the inadvertent use
26 is not part of a pattern of use. A pattern of use is presumed when an
27 inadvertent use is repeated in the same assessment year or in two or
28 more successive assessment years.

29 (4) The department of revenue must narrowly construe this
30 exemption.

31 NEW SECTION. **Sec. 9.** Sections 7 and 8 of this act expire December
32 31, 2020.

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