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HOUSE BILL 2797

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State of Washington                      52nd Legislature                      1992 Regular Session

By Representatives Grant, Neher, Locke, Ludwig, Rayburn and McLean

Read first time 01/28/92. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to class F wine retailer's licenses; and amending  
2 RCW 66.24.370.

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

4            **Sec. 1.** RCW 66.24.370 and 1987 c 386 s 4 are each amended to read  
5 as follows:

6            (1) There shall be a wine retailer's license to be designated as  
7 class F license to sell, subject to subsection (2) of this section,  
8 table and fortified wine in bottles and original packages, not to be  
9 consumed on the premises where sold, at any store other than the state  
10 liquor stores: PROVIDED, Such licensee shall pay to the state liquor  
11 stores for wines purchased from such stores the current retail price;  
12 fee seventy-five dollars per annum: PROVIDED, FURTHER, That a holder  
13 of a class A or class B license shall be entitled to the privileges

1 permitted in this section by paying an annual fee of twenty-five  
2 dollars for each store.

3 (2) (~~(In counties with a population over three hundred thousand,~~)  
4 The board shall issue a restricted class F license, authorizing the  
5 licensee to sell only table wine, if the board finds upon issuance or  
6 renewal of the license that the sale of fortified wine would be against  
7 the public interest. In determining the public interest, the board  
8 shall consider at least the following factors:

9 (a) The likelihood that the applicant will sell fortified wine to  
10 persons who are intoxicated;

11 (b) Law enforcement problems in the vicinity of the applicant's  
12 establishment that may arise from persons purchasing fortified wine at  
13 the establishment; and

14 (c) Whether the sale of fortified wine would be detrimental to or  
15 inconsistent with a government-operated or funded alcohol treatment or  
16 detoxification program in the area.

17 If the board receives no evidence or objection that the sale of  
18 fortified wine would be against the public interest, it shall issue or  
19 renew the license without restriction, as applicable. The burden of  
20 establishing that the sale of fortified wine by the licensee would be  
21 against the public interest is on those persons objecting.

22 (3) Licensees under this section whose business is primarily the  
23 sale of wine at retail may provide, free or for a charge, single-  
24 serving samples of two ounces or less to customers for the purpose of  
25 sales promotion.