

SENATE BILL REPORT

SHB 2452

AS REPORTED BY COMMITTEE ON LABOR & COMMERCE, FEBRUARY 25, 1994

Brief Description: Modifying provisions regarding shipping wine.

SPONSORS: House Committee on Agriculture & Rural Development (originally sponsored by Representatives Rayburn, Lisk, Mastin, Chandler, Lemmon, Grant, Finkbeiner, Wineberry, Bray, Cothorn and Dyer)

HOUSE COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Moore, Chairman; Prentice, Vice Chairman; Amondson, Deccio, Fraser, McAuliffe, Newhouse, Pelz, Prince, Sellar, Sutherland, Vognild and Wojahn.

Staff: Patrick Woods (786-7430)

Hearing Dates: February 25, 1994

BACKGROUND:

State law authorizes the delivery of wine from out-of-state licensed wineries directly to residents of this state if the laws of the other state grant Washington wineries reciprocal authority.

Such an out-of-state winery may ship for personal use and not for resale not more than two cases of wine of its own manufacture per year to any state resident 21 years of age or older. However, the out-of-state winery must first obtain a license from this state's Liquor Control Board before shipping wine into Washington. Delivery of such shipment does not constitute a sale under the state's liquor control laws.

Each case can contain no more than nine liters. The shipping container must be clearly labeled to indicate that the package cannot be delivered to a person under 21 years of age or to an intoxicated person.

Pickup, delivery, or acceptance of any container of wine that is shipped into this state from a person who is not licensed as required is subject to the imposition of civil penalties on offending parties including delivery services. The state's liquor control laws prescribe penalties for any violation of the liquor laws for which penalties specific to the violation are not otherwise identified. If an out-of-state person is licensed to make these reciprocal shipments but advertises or

solicits consumers within this state to engage in such reciprocal shipments, the person's license is to be revoked.

SUMMARY:

The pickup or delivery of wine is removed from the penalty provisions of the statute. As a result, delivery services are no longer subject to penalties for transporting wine into Washington from an unlicensed winery.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR: None

TESTIMONY AGAINST: None

TESTIFIED: No one