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**SUBSTITUTE SENATE BILL 5792**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senate Committee on Labor, Commerce & Financial Institutions  
(originally sponsored by Senators Prentice, Honeyford, Winsley,  
Rasmussen, Rossi, Hale, Constantine, B. Sheldon, Deccio, Hewitt and  
Gardner)

READ FIRST TIME 02/26/01.

1 AN ACT Relating to modifying wine and cider provisions by removing  
2 a termination date; amending RCW 66.24.210; and declaring an emergency.

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

4 **Sec. 1.** RCW 66.24.210 and 1997 c 321 s 8 are each amended to read  
5 as follows:

6 (1) There is hereby imposed upon all wines except cider sold to  
7 wine distributors and the Washington state liquor control board, within  
8 the state a tax at the rate of twenty and one-fourth cents per liter.  
9 There is hereby imposed on all cider sold to wine distributors and the  
10 Washington state liquor control board within the state a tax at the  
11 rate of three and fifty-nine one-hundredths cents per liter: PROVIDED,  
12 HOWEVER, That wine sold or shipped in bulk from one winery to another  
13 winery shall not be subject to such tax. The tax provided for in this  
14 section shall be collected by direct payments based on wine purchased  
15 by wine distributors. Every person purchasing wine under the  
16 provisions of this section shall on or before the twentieth day of each  
17 month report to the board all purchases during the preceding calendar  
18 month in such manner and upon such forms as may be prescribed by the  
19 board, and with such report shall pay the tax due from the purchases

1 covered by such report unless the same has previously been paid. Any  
2 such purchaser of wine whose applicable tax payment is not postmarked  
3 by the twentieth day following the month of purchase will be assessed  
4 a penalty at the rate of two percent a month or fraction thereof. The  
5 board may require that every such person shall execute to and file with  
6 the board a bond to be approved by the board, in such amount as the  
7 board may fix, securing the payment of the tax. If any such person  
8 fails to pay the tax when due, the board may forthwith suspend or  
9 cancel the license until all taxes are paid.

10 (2) An additional tax is imposed equal to the rate specified in RCW  
11 82.02.030 multiplied by the tax payable under subsection (1) of this  
12 section. All revenues collected during any month from this additional  
13 tax shall be transferred to the state general fund by the twenty-fifth  
14 day of the following month.

15 (3) An additional tax is imposed on wines subject to tax under  
16 subsection (1) of this section, at the rate of one-fourth of one cent  
17 per liter for wine sold after June 30, 1987. After June 30, 1996, such  
18 additional tax does not apply to cider. An additional tax of five one-  
19 hundredths of one cent per liter is imposed on cider sold after June  
20 30, 1996. (~~The additional taxes imposed by this subsection (3) shall~~  
21 ~~cease to be imposed on July 1, 2001.~~) All revenues collected under  
22 this subsection (3) shall be disbursed quarterly to the Washington wine  
23 commission for use in carrying out the purposes of chapter 15.88 RCW.

24 (4) An additional tax is imposed on all wine subject to tax under  
25 subsection (1) of this section. The additional tax is equal to twenty-  
26 three and forty-four one-hundredths cents per liter on fortified wine  
27 as defined in RCW 66.04.010(~~(+37)~~) (38) when bottled or packaged by  
28 the manufacturer, one cent per liter on all other wine except cider,  
29 and eighteen one-hundredths of one cent per liter on cider. All  
30 revenues collected during any month from this additional tax shall be  
31 deposited in the violence reduction and drug enforcement account under  
32 RCW 69.50.520 by the twenty-fifth day of the following month.

33 (5)(a) An additional tax is imposed on all cider subject to tax  
34 under subsection (1) of this section. The additional tax is equal to  
35 two and four one-hundredths cents per liter of cider sold after June  
36 30, 1996, and before July 1, 1997, and is equal to four and seven one-  
37 hundredths cents per liter of cider sold after June 30, 1997.

1 (b) All revenues collected from the additional tax imposed under  
2 this subsection (5) shall be deposited in the health services account  
3 under RCW 43.72.900.

4 (6) For the purposes of this section, "cider" means table wine that  
5 contains not less than one-half of one percent of alcohol by volume and  
6 not more than seven percent of alcohol by volume and is made from the  
7 normal alcoholic fermentation of the juice of sound, ripe apples or  
8 pears. "Cider" includes, but is not limited to, flavored, sparkling,  
9 or carbonated cider and cider made from condensed apple or pear must.

10 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
11 preservation of the public peace, health, or safety, or support of the  
12 state government and its existing public institutions, and takes effect  
13 immediately.

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