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**SUBSTITUTE SENATE BILL 5813**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senate Committee on Labor, Commerce & Financial Institutions  
(originally sponsored by Senators Honeyford, Rasmussen, Deccio,  
McCaslin, Hale, Constantine, Sheahan, Hewitt, Winsley, Prentice and  
Kohl-Welles)

READ FIRST TIME 02/22/01.

1 AN ACT Relating to the sale of wine for off-premises consumption;  
2 and amending RCW 66.24.450, 66.24.452, 66.24.425, and 66.24.400.

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

4 **Sec. 1.** RCW 66.24.450 and 1999 c 281 s 5 are each amended to read  
5 as follows:

6 (1) No club shall be entitled to a spirits, beer, and wine private  
7 club license:

8 (a) Unless such private club has been in continuous operation for  
9 at least one year immediately prior to the date of its application for  
10 such license;

11 (b) Unless the private club premises be constructed and equipped,  
12 conducted, managed, and operated to the satisfaction of the board and  
13 in accordance with this title and the regulations made thereunder;

14 (c) Unless the board shall have determined pursuant to any  
15 regulations made by it with respect to private clubs, that such private  
16 club is a bona fide private club; it being the intent of this section  
17 that license shall not be granted to a club which is, or has been,  
18 primarily formed or activated to obtain a license to sell liquor, but  
19 solely to a bona fide private club, where the sale of liquor is

1 incidental to the main purposes of the spirits, beer, and wine private  
2 club, as defined in RCW 66.04.010(7).

3 (2) The annual fee for a spirits, beer, and wine private club  
4 license, whether inside or outside of an incorporated city or town, is  
5 seven hundred twenty dollars per year.

6 (3) The board may issue an endorsement to the spirits, beer, and  
7 wine private club license that allows up to forty nonclub, member-  
8 sponsored events using club liquor. Visitors and guests may attend  
9 these events only by invitation of the sponsoring member or members.  
10 These events may not be open to the general public. The fee for the  
11 endorsement shall be an annual fee of nine hundred dollars. Upon the  
12 board's request, the holder of the endorsement must provide the board  
13 or the board's designee with the following information at least  
14 seventy-two hours prior to the event: The date, time, and location of  
15 the event; the name of the sponsor of the event; and a brief  
16 description of the purpose of the event.

17 (4) The board may issue an endorsement to the spirits, beer, and  
18 wine private club license that allows the holder of a spirits, beer,  
19 and wine private club license to sell for off-premises consumption:  
20 (a) Wine vinted and bottled in the state of Washington and carrying a  
21 label exclusive to the license holder selling the wine; and (b)  
22 sparkling wine from California bottled exclusively for the license  
23 holder selling the sparkling wine. Spirits and beer may not be sold  
24 for off-premises consumption under this section. The annual fee for  
25 the endorsement under this chapter is one hundred twenty dollars.

26 **Sec. 2.** RCW 66.24.452 and 1997 c 321 s 31 are each amended to read  
27 as follows:

28 (1) There shall be a beer and wine license to be issued to a  
29 private club for sale of beer and wine for on-premises consumption.

30 (2) Beer and wine sold by the licensee may be on tap or by open  
31 bottles or cans.

32 (3) The fee for the private club beer and wine license is one  
33 hundred eighty dollars per year.

34 (4) The board may issue an endorsement to the private club beer and  
35 wine license that allows the holder of a private club beer and wine  
36 license to sell for off-premises consumption: (a) Wine vinted and  
37 bottled in the state of Washington and carrying a label exclusive to  
38 the license holder selling the wine; and (b) sparkling wine from

1 California bottled exclusively for the license holder selling the  
2 sparkling wine. Spirits and beer may not be sold for off-premises  
3 consumption under this section. The annual fee for the endorsement  
4 under this chapter is one hundred twenty dollars.

5 **Sec. 3.** RCW 66.24.425 and 1998 c 126 s 7 are each amended to read  
6 as follows:

7 (1) The board may, in its discretion, issue a spirits, beer, and  
8 wine restaurant license to a business which qualifies as a "restaurant"  
9 as that term is defined in RCW 66.24.410 in all respects except that  
10 the business does not serve the general public but, through membership  
11 qualification, selectively restricts admission to the business. For  
12 purposes of RCW 66.24.400 and 66.24.420, all licenses issued under this  
13 section shall be considered spirits, beer, and wine restaurant licenses  
14 and shall be subject to all requirements, fees, and qualifications in  
15 this title, or in rules adopted by the board, as are applicable to  
16 spirits, beer, and wine restaurant licenses generally except that no  
17 service to the general public may be required.

18 (2) No license shall be issued under this section to a business:

19 (a) Which shall not have been in continuous operation for at least  
20 one year immediately prior to the date of its application; or

21 (b) Which denies membership or admission to any person because of  
22 race, creed, color, national origin, sex, or the presence of any  
23 sensory, mental, or physical handicap.

24 (3) The board may issue an endorsement to the spirits, beer, and  
25 wine restaurant license that allows the holder of a spirits, beer, and  
26 wine restaurant license to sell for off-premises consumption: (a) Wine  
27 vinted and bottled in the state of Washington and carrying a label  
28 exclusive to the license holder selling the wine; and (b) sparkling  
29 wine from California bottled exclusively for the license holder selling  
30 the sparkling wine. Spirits and beer may not be sold for off-premises  
31 consumption under this section. The annual fee for the endorsement  
32 under this chapter is one hundred twenty dollars.

33 **Sec. 4.** RCW 66.24.400 and 1998 c 126 s 5 are each amended to read  
34 as follows:

35 (1) There shall be a retailer's license, to be known and designated  
36 as a spirits, beer, and wine restaurant license, to sell spirituous  
37 liquor by the individual glass, beer, and wine, at retail, for

1 consumption on the premises, including mixed drinks and cocktails  
2 compounded or mixed on the premises only: PROVIDED, That a hotel, or  
3 club licensed under chapter 70.62 RCW with overnight sleeping  
4 accommodations, that is licensed under this section may sell liquor by  
5 the bottle to registered guests of the hotel or club for consumption in  
6 guest rooms, hospitality rooms, or at banquets in the hotel or club:  
7 PROVIDED FURTHER, That a patron of a bona fide hotel, restaurant, or  
8 club licensed under this section may remove from the premises recorked  
9 or recapped in its original container any portion of wine which was  
10 purchased for consumption with a meal, and registered guests who have  
11 purchased liquor from the hotel or club by the bottle may remove from  
12 the premises any unused portion of such liquor in its original  
13 container. Such license may be issued only to bona fide restaurants,  
14 hotels and clubs, and to dining, club and buffet cars on passenger  
15 trains, and to dining places on passenger boats and airplanes, and to  
16 dining places at civic centers with facilities for sports,  
17 entertainment, and conventions, and to such other establishments  
18 operated and maintained primarily for the benefit of tourists,  
19 vacationers and travelers as the board shall determine are qualified to  
20 have, and in the discretion of the board should have, a spirits, beer,  
21 and wine restaurant license under the provisions and limitations of  
22 this title.

23 (2) The board may issue an endorsement to the spirits, beer, and  
24 wine restaurant license that allows the holder of a spirits, beer, and  
25 wine restaurant license to sell for off-premises consumption: (a) Wine  
26 vinted and bottled in the state of Washington and carrying a label  
27 exclusive to the license holder selling the wine; and (b) sparkling  
28 wine from California bottled exclusively for the license holder selling  
29 the sparkling wine. Spirits and beer may not be sold for off-premises  
30 consumption under this section. The annual fee for the endorsement  
31 under this chapter is one hundred twenty dollars.

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