

1 **SB 5597** - H COMM AMD
2 By Committee on Health Care

3 On page 1, line 6, strike everything after the enacting clause and
4 insert the following:

5 "Sec. 1. RCW 70.155.010 and 1993 c 507 s 2 are each amended to
6 read as follows:

7 The definitions set forth in RCW 82.24.010 shall apply to RCW
8 70.155.020 through 70.155.130. In addition, for the purposes of
9 this chapter, unless otherwise required by the context:

10 (1) "Board" means the Washington state liquor control board.

11 (2) "Minor" refers to an individual who is less than eighteen
12 years old.

13 (3) "Public place" means a public street, sidewalk, or park, or
14 any area open to the public in a publicly owned and operated
15 building.

16 (4) "Sample" means a tobacco product distributed to members of
17 the general public at no cost or at nominal cost for product
18 promotion purposes.

19 (5) "Sampler" means a person engaged in the business of
20 sampling other than a retailer.

21 (6) "Sampling" means the distribution of samples to members of
22 the general public in a permanent building exclusively limited to
23 persons twenty-one and over (~~public place~~).

24 (7) "Tobacco product" means a product that contains tobacco and
25 is intended for human consumption.

26 (8) "Twenty-one and over location" means a permanent building
27 that:

28 (a) Sells any type of liquor as defined in chapter 66.04 RCW;

29 (b) Is classified as off-limits to persons under twenty-one
30 years of age as provided in RCW 66.44.310; and

31 (c) Is located over one thousand feet from an outdoor venue.

1 **Sec. 2.** RCW 70.155.050 and 1993 c 507 s 6 are each amended to
2 read as follows:

3 (1) No person may engage in the business of sampling at a
4 twenty-one and over location within the state unless licensed to do
5 so by the board. If a firm contracts with a manufacturer to
6 distribute samples of the manufacturer's products, that firm is
7 deemed to be the person engaged in the business of sampling.

8 (2) The board shall issue a license to a sampler not otherwise
9 disqualified by RCW 70.155.100 upon application and payment of the
10 fee.

11 (3) A sampler's license expires on the thirtieth day of June of
12 each year and must be renewed annually upon payment of the
13 appropriate fee.

14 (4) The board shall annually determine the fee for a sampler's
15 license and each renewal. However, the fee for a manufacturer
16 whose employees distribute samples within the state is five hundred
17 dollars per annum, and the fee for all other samplers must be not
18 less than fifty dollars per annum.

19 (5) A sampler's license entitles the licensee, and employees or
20 agents of the licensee, to distribute samples at any lawful twenty-
21 one and over location in the state during the term of the license.
22 A person engaged in sampling under the license shall carry the
23 license or a copy at all times."

24 Correct the title.

EFFECT: Prohibits the establishment of a twenty-one and over
location within 1000 feet of an outdoor venue.