

SB 5751 - S AMD 30

By Senator Kohl-Welles

ADOPTED AS AMENDED 02/12/2008

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The liquor control board shall
4 establish a pilot project to allow beer and wine tasting in grocery
5 stores licensed under RCW 66.24.360.

6 (a) The pilot project shall consist of thirty locations with at
7 least six tastings to be conducted at each location between October 1,
8 2008, and September 30, 2009. However, no licensee may hold more than
9 one tasting per month during the project period.

10 (b) The pilot project locations shall be determined by the board
11 and must be equally allocated between independently owned grocery
12 stores and national chain grocery stores.

13 (c) Licensees chosen to participate in the pilot project must meet
14 the following criteria:

15 (i) Their primary activity is the retail sale of grocery products
16 for off-premises consumption; and

17 (ii) They operate a fully enclosed retail area encompassing at
18 least nine thousand square feet.

19 (d) Tasting activities of licensees under this section are subject
20 to RCW 66.28.010 and 66.28.040 and the cost of sampling may not be
21 borne, directly or indirectly, by any liquor manufacturer, importer, or
22 distributor.

23 (e) A "tasting" may be conducted under the following conditions:

24 (i) Each sample must be two ounces or less, up to a total of four
25 ounces, per customer; and

26 (ii) No more than one sample of any single brand and type of beer
27 or wine may be provided to a customer during any one visit to the
28 premises.

29 (f) The service area and facilities must be located within the
30 licensee's fully enclosed retail area, and must be of a size and design

1 such that the licensee can observe and control persons in the area to
2 ensure that persons under twenty-one years of age and obviously
3 intoxicated persons cannot possess or consume alcohol. Customers must
4 remain in the service area while consuming samples.

5 (g) The licensee may only advertise the tasting event within the
6 store.

7 (h) All other criteria needed to establish and monitor the pilot
8 project shall be determined by the board.

9 (i) The board shall report on the pilot project to the appropriate
10 committees of the legislature by December 1, 2009.

11 (2) The liquor control board shall adopt rules to implement this
12 section. The rules must include a requirement that employees of
13 licensees under RCW 66.24.360 and 66.24.371 who are involved in tasting
14 activities complete a board-approved limited alcohol server training
15 program that addresses only those subjects reasonably related to the
16 licensees' tasting activities.

17 NEW SECTION. **Sec. 2.** This act expires December 1, 2009."

18 On page 1, line 1 of the title, after "tasting;" strike the
19 remainder of the title and insert "creating a new section; and
20 providing an expiration date."

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