

SB 6615 - S AMD 258

By Senator Kohl-Welles

WITHDRAWN 03/03/2012

1 On page 9, after line 3, insert the following:

2 "Sec. 16. RCW 66.24.145 and 2012 c 2 s 205 (Initiative Measure No.
3 1183) are each amended to read as follows:

4 (1) Any craft distillery may sell spirits of its own production for
5 consumption off the premises, up to two liters per person per day. A
6 craft distillery selling spirits under this subsection must comply with
7 the applicable laws and rules relating to retailers.

8 (2) Any craft distillery may contract distill spirits for, and sell
9 contract distilled spirits to, holders of distillers' or manufacturers'
10 licenses, including licenses issued under RCW 66.24.520, or for export.

11 (3) Any craft distillery licensed under this section may provide,
12 free of charge, one-half ounce or less samples of spirits of its own
13 production to persons on the premises of the distillery. The maximum
14 total per person per day is two ounces. Every person who participates
15 in any manner in the service of samples must obtain a class 12 alcohol
16 server permit.

17 (4) The board must adopt rules to implement the alcohol server
18 permit requirement and may adopt additional rules to implement this
19 section.

20 (5) Distilling is an agricultural practice.

21 (6)(a) A craft distillery licensed under RCW 66.24.140(1) may apply
22 to the board for an endorsement to sell bottled spirits of its own
23 production at retail for off-premises consumption at a qualifying
24 farmers market. The annual fee for this endorsement is seventy-five
25 dollars.

26 (b) For each month during which a craft distillery will sell
27 spirits at a qualifying farmers market, the craft distillery must
28 provide the board or its designee a list of the dates, times, and
29 locations at which bottled spirits may be offered for sale. This list

1 must be received by the board before the craft distillery may offer
2 spirits for sale at a qualifying farmers market.

3 (c) The spirits sold at qualifying farmers markets must be produced
4 in Washington.

5 (d) Each approved location in a qualifying farmers market is deemed
6 to be part of the craft distillery license for the purpose of this
7 title. The approved locations under an endorsement granted under this
8 subsection (6) do not constitute the tasting or sampling privilege of
9 a craft distillery. The craft distillery may not store spirits at a
10 farmers market beyond the hours that the craft distillery offers
11 bottled spirits for sale. The craft distillery may not act as a
12 distributor from a farmers market location.

13 (e) Before a craft distillery may sell bottled spirits at a
14 qualifying farmers market, the farmers market must apply to the board
15 for authorization for any craft distillery with an endorsement approved
16 under this subsection (6) to sell bottled spirits at retail at the
17 farmers market. This application shall include, at a minimum: (i) A
18 map of the farmers market showing all booths, stalls, or other
19 designated locations at which an approved craft distillery may sell
20 bottled spirits; and (ii) the name and contact information for the on-
21 site market managers who may be contacted by the board or its designee
22 to verify the locations at which bottled spirits may be sold. Before
23 authorizing a qualifying farmers market to allow an approved craft
24 distillery to sell bottled spirits at retail at its farmers market
25 location, the board shall notify the persons or entities of the
26 application for authorization pursuant to RCW 66.24.010 (8) and (9).
27 An authorization granted under this subsection (6)(e) may be withdrawn
28 by the board for any violation of this title or any rules adopted under
29 this title.

30 (f) The board may adopt rules establishing the application and
31 approval process under this section and any additional rules necessary
32 to implement this section.

33 (g) For the purposes of this subsection (6):

34 (i) "Qualifying farmers market" means an entity that sponsors a
35 regular assembly of vendors at a defined location for the purpose of
36 promoting the sale of agricultural products grown or produced in this
37 state directly to the consumer under conditions that meet the following
38 minimum requirements:

1 (A) There are at least five participating vendors who are farmers
2 selling their own agricultural products;

3 (B) The total combined gross annual sales of vendors who are
4 farmers exceeds the total combined gross annual sales of vendors who
5 are processors or resellers;

6 (C) The total combined gross annual sales of vendors who are
7 farmers, processors, or resellers exceeds the total combined gross
8 annual sales of vendors who are not farmers, processors, or resellers;

9 (D) The sale of imported items and secondhand items by any vendor
10 is prohibited; and

11 (E) No vendor is a franchisee.

12 (ii) "Farmer" means a natural person who sells, with or without
13 processing, agricultural products that he or she raises on land he or
14 she owns or leases in this state or in another state's county that
15 borders this state.

16 (iii) "Processor" means a natural person who sells processed food
17 that he or she has personally prepared on land he or she owns or leases
18 in this state or in another state's county that borders this state.

19 (iv) "Reseller" means a natural person who buys agricultural
20 products from a farmer and resells the products directly to the
21 consumer."

22 Renumber the remaining section consecutively and correct any
23 internal references accordingly.

SB 6615 - S AMD

By Senators Kohl-Welles, Harper

WITHDRAWN 03/03/2012

24 On page 1, line 1 of the title, after "revenue" strike the
25 remainder of the title and insert "and craft distilleries; amending RCW
26 82.08.160, 43.110.030, 66.08.190, 66.08.196, 66.08.200, 66.08.210,
27 35A.66.020, 36.70A.340, 70.94.390, 70.96A.087, 43.63A.190, and
28 66.24.145; creating new sections; repealing RCW 82.08.170, 82.08.180,
29 43.110.050, and 43.110.060; and providing an effective date."

--- END ---