

**SHB 1459 - H AMD 200**

By Representative Holy

WITHDRAWN 03/08/2013

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

3  
4 "NEW SECTION. **Sec. 1.** A new section is added to chapter 66.12 RCW  
5 to read as follows:

6 (1) Students under twenty-one years of age who are enrolled in a  
7 viticulture or enology degree program at an accredited college,  
8 university, community college, area vocational technical institute, or  
9 private vocational school may taste but not ingest wine for  
10 instructional purposes during classes that are part of the curriculum  
11 of the accredited viticulture or enology degree program.

12 (2) Such students may taste wine only:

13 (a) During times of a regularly scheduled course;

14 (b) While under the direct supervision of an instructor, who is at  
15 least twenty-one years old and employed by the accredited college,  
16 university, community college, area vocational technical institute, or  
17 private vocational school offering the viticulture or enology degree  
18 program; and

19 (c) In accordance with the provisions of RCW 66.28.160.

20 (3) When developing policies to allow students under twenty-one  
21 years of age who are enrolled in a viticulture or enology degree  
22 program to taste but not ingest wine, a participating college,  
23 university, community college, area vocational technical institute, or  
24 private vocational school may consult with the Washington viticulture  
25 and enology education consortium.

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1       **Sec. 2.** RCW 66.44.270 and 1998 c 4 s 1 are each amended to read  
2 as follows:

3       (1) It is unlawful for any person to sell, give, or otherwise  
4 supply liquor to any person under the age of twenty-one years or  
5 permit any person under that age to consume liquor on his or her  
6 premises or on any premises under his or her control. For the  
7 purposes of this subsection, "premises" includes real property,  
8 houses, buildings, and other structures, and motor vehicles and  
9 watercraft. A violation of this subsection is a gross misdemeanor  
10 punishable as provided for in chapter 9A.20 RCW.

11       (2)(a) It is unlawful for any person under the age of twenty-one  
12 years to possess, consume, or otherwise acquire any liquor. A  
13 violation of this subsection is a gross misdemeanor punishable as  
14 provided for in chapter 9A.20 RCW.

15       (b) It is unlawful for a person under the age of twenty-one years  
16 to be in a public place, or to be in a motor vehicle in a public  
17 place, while exhibiting the effects of having consumed liquor. For  
18 purposes of this subsection, exhibiting the effects of having consumed  
19 liquor means that a person has the odor of liquor on his or her breath  
20 and either: (i) Is in possession of or close proximity to a container  
21 that has or recently had liquor in it; or (ii) by speech, manner,  
22 appearance, behavior, lack of coordination, or otherwise, exhibits  
23 that he or she is under the influence of liquor. This subsection  
24 (2)(b) does not apply if the person is in the presence of a parent or  
25 guardian or has consumed or is consuming liquor under circumstances  
26 described in subsection (4) or (5) of this section.

27       (3) Subsections (1) and (2)(a) of this section do not apply to  
28 liquor given or permitted to be given to a person under the age of  
29 twenty-one years by a parent or guardian and consumed in the presence  
30 of the parent or guardian. This subsection (~~shall~~) does not  
31 authorize consumption or possession of liquor by a person under the  
32 age of twenty-one years on any premises licensed under chapter 66.24  
33 RCW.

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1 (4) This section does not apply to liquor given for medicinal  
2 purposes to a person under the age of twenty-one years by a parent,  
3 guardian, physician, or dentist.

4 (5) This section does not apply to liquor given to a person under  
5 the age of twenty-one years when such liquor is being used in  
6 connection with religious services and the amount consumed is the  
7 minimal amount necessary for the religious service.

8 (6) This section does not apply to wine provided to students under  
9 twenty-one years of age in accordance with section 1 of this act.

10 (7) Conviction or forfeiture of bail for a violation of this  
11 section by a person under the age of twenty-one years at the time of  
12 such conviction or forfeiture (~~shall not be a disqualification of~~)  
13 does not disqualify that person to acquire a license to sell or  
14 dispense any liquor after that person has attained the age of twenty-  
15 one years."

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17 Correct the title.

EFFECT: Eliminates the requirement that a college or university  
with a viticulture or enology degree program apply for a permit from  
the Liquor Control Board if such college or university elects to  
allow students under the age of twenty-one to taste but not ingest  
wine.

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