

# FINAL BILL REPORT

## SHB 1422

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### FULL VETO

Synopsis as Enacted

**Brief Description:** Changing the criteria for the beer and wine tasting endorsement for grocery stores.

**Sponsors:** House Committee on Government Accountability & Oversight (originally sponsored by Representatives Condotta and Hurst).

**House Committee on Government Accountability & Oversight**  
**Senate Committee on Commerce & Labor**

#### **Background:**

A grocery store licensed to sell beer and/or wine may obtain an endorsement from the Liquor Control Board (LCB) to offer beer and wine tastings. To be eligible, a store must meet the following three criteria:

- at least half of the gross sales of the store are retail sales of grocery products for off-premises consumption, or the store is a membership organization that requires members to be at least 18 years of age;
- the store is at least 9,000 square feet in size; and
- the store did not have more than one public safety violation within the past two years.

The LCB may issue an endorsement to a store smaller than 9,000 square feet if the store meets operational requirements established by the LCB and the LCB finds there are no stores in the community that meet the minimum size requirement.

In addition, specified conditions for beer and wine tasting must be met, including:

- the licensee must be able to observe and control persons in the service area;
- samples are limited to two ounces, up to a total of four ounces, per customer per visit;
- food for participants must be available; and
- customers must remain in the service area.

Stores may advertise tasting events within the store, on a store website, in newsletters and flyers, and via regular mail and electronic mail to customers who have requested notice of events. Advertising may not be targeted to or appeal principally to youth.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The LCB is authorized to establish additional requirements to ensure that persons under 21 years of age and apparently intoxicated persons cannot possess or consume alcohol.

A tasting endorsement may be suspended and not reissued for up to two years if a licensee commits a public safety violation in conjunction with tasting activities. The LCB may assess a monetary penalty in lieu of suspension if mitigating circumstances exist. The LCB may also revoke an endorsement to a store in an alcohol impact area if the tasting activities are having an adverse effect on the reduction of chronic public inebriation.

The fee for the tasting endorsement is \$200 per year. The LCB may increase the fee up to 10 percent annually to defray the cost of administration and enforcement of the endorsement.

**Summary:**

The act revises two of the three eligibility criteria that must be met by a grocery store to obtain an endorsement to offer beer and wine tasting.

First, a grocery store's eligibility for the endorsement no longer requires that: (1) at least half of the gross sales of the store are retail sales of grocery products for off-premises consumption; or (2) the store be a membership organization whose members must be at least 18 years of age.

Second, the licensee must operate a fully enclosed retail area that encompasses at least 10,000 square feet. "Fully enclosed retail area" means fully enclosed retail space within a single structure, including storerooms and other interior auxiliary areas but excluding covered or fenced exterior areas, whether or not attached to the structure.

**Votes on Final Passage:**

House	83	12
Senate	32	15