

SSB 5280 - H COMM AMD

By Committee on General Government & Information Technology

ADOPTED AND ENGROSSED 4/14/2015

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

3 "Sec. 1. RCW 66.24.360 and 2012 c 2 s 104 are each amended to  
4 read as follows:

5 (1) There is a grocery store license to sell wine and/or beer,  
6 including without limitation strong beer at retail in original  
7 containers, not to be consumed upon the premises where sold.

8 (2) There is a wine retailer reseller endorsement of a grocery  
9 store license, to sell wine at retail in original containers to  
10 retailers licensed to sell wine for consumption on the premises, for  
11 resale at their licensed premises according to the terms of the  
12 license. However, no single sale may exceed twenty-four liters,  
13 unless the sale is made by a licensee that was a contract liquor  
14 store manager of a contract-operated liquor store at the location  
15 from which such sales are made. For the purposes of this title, a  
16 grocery store license is a retail license, and a sale by a grocery  
17 store licensee with a reseller endorsement is a retail sale only if  
18 not for resale.

19 (3) Licensees obtaining a written endorsement from the board may  
20 also sell malt liquor in kegs or other containers capable of holding  
21 less than five and one-half gallons of liquid.

22 (4) The annual fee for the grocery store license is one hundred  
23 fifty dollars for each store.

24 (5) The annual fee for the wine retailer reseller endorsement is  
25 one hundred sixty-six dollars for each store.

26 (6)(a) Upon approval by the board, a grocery store licensee with  
27 revenues derived from beer and/or wine sales exceeding fifty percent  
28 of total revenues or that maintains an alcohol inventory of not less  
29 than fifteen thousand dollars may also receive an endorsement to  
30 permit the sale of beer and cider, as defined in RCW 66.24.210(6), in  
31 a sanitary container brought to the premises by the purchaser, or  
32 provided by the licensee or manufacturer, and filled at the tap by

1 the licensee at the time of sale by an employee of the licensee  
2 holding a class 12 alcohol server permit.

3 (b) Pursuant to RCW 74.08.580(1)(f), a person may not use an  
4 electronic benefit transfer card for the purchase of any product  
5 authorized for sale under this section.

6 (c) The board may, by rule, establish fees to be paid by  
7 licensees receiving the endorsement authorized under this subsection  
8 (6), as necessary to cover the costs of implementing and enforcing  
9 the provisions of this subsection (6).

10 (7) The board must issue a restricted grocery store license  
11 authorizing the licensee to sell beer and only table wine, if the  
12 board finds upon issuance or renewal of the license that the sale of  
13 strong beer or fortified wine would be against the public interest.  
14 In determining the public interest, the board must consider at least  
15 the following factors:

16 (a) The likelihood that the applicant will sell strong beer or  
17 fortified wine to persons who are intoxicated;

18 (b) Law enforcement problems in the vicinity of the applicant's  
19 establishment that may arise from persons purchasing strong beer or  
20 fortified wine at the establishment; and

21 (c) Whether the sale of strong beer or fortified wine would be  
22 detrimental to or inconsistent with a government-operated or funded  
23 alcohol treatment or detoxification program in the area.

24 If the board receives no evidence or objection that the sale of  
25 strong beer or fortified wine would be against the public interest,  
26 it must issue or renew the license without restriction, as  
27 applicable. The burden of establishing that the sale of strong beer  
28 or fortified wine by the licensee would be against the public  
29 interest is on those persons objecting.

30 ~~((+7))~~ (8) Licensees holding a grocery store license must  
31 maintain a minimum three thousand dollar inventory of food products  
32 for human consumption, not including pop, beer, strong beer, or wine.

33 ~~((+8))~~ (9) A grocery store licensee with a wine retailer  
34 reseller endorsement may accept delivery of wine at its licensed  
35 premises or at one or more warehouse facilities registered with the  
36 board, which facilities may also warehouse and distribute nonliquor  
37 items, and from which it may deliver to its own licensed premises  
38 and, pursuant to sales permitted by this title, to other licensed  
39 premises, to other registered facilities, or to lawful purchasers  
40 outside the state. Facilities may be registered and utilized by

1 associations, cooperatives, or comparable groups of grocery store  
2 licensees.

3 ~~((9))~~ (10) Upon approval by the board, the grocery store  
4 licensee may also receive an endorsement to permit the international  
5 export of beer, strong beer, and wine.

6 (a) Any beer, strong beer, or wine sold under this endorsement  
7 must have been purchased from a licensed beer or wine distributor  
8 licensed to do business within the state of Washington.

9 (b) Any beer, strong beer, and wine sold under this endorsement  
10 must be intended for consumption outside the state of Washington and  
11 the United States and appropriate records must be maintained by the  
12 licensee.

13 (c) Any beer, strong beer, or wine sold under this endorsement  
14 must be sold at a price no less than the acquisition price paid by  
15 the holder of the license.

16 (d) The annual cost of this endorsement is five hundred dollars  
17 and is in addition to the license fees paid by the licensee for a  
18 grocery store license.

19 ~~((10))~~ (11) A grocery store licensee holding a snack bar  
20 license under RCW 66.24.350 may receive an endorsement to allow the  
21 sale of confections containing more than one percent but not more  
22 than ten percent alcohol by weight to persons twenty-one years of age  
23 or older.

24 (12) The board may adopt rules to implement this section.

25 (13) Nothing in this section limits the authority of the board to  
26 regulate the sale of beer or cider or container sizes under rules  
27 adopted pursuant to RCW 66.08.030."

28 Correct the title.

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