

SSB 5280 - H COMM AMD

By Committee on General Government & Information Technology

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

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

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

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

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

26 ~~((+7))~~ (8) Licensees holding a grocery store license must  
27 maintain a minimum three thousand dollar inventory of food products  
28 for human consumption, not including pop, beer, strong beer, or wine.

29 ~~((+8))~~ (9) A grocery store licensee with a wine retailer  
30 reseller endorsement may accept delivery of wine at its licensed  
31 premises or at one or more warehouse facilities registered with the  
32 board, which facilities may also warehouse and distribute nonliquor  
33 items, and from which it may deliver to its own licensed premises  
34 and, pursuant to sales permitted by this title, to other licensed  
35 premises, to other registered facilities, or to lawful purchasers  
36 outside the state. Facilities may be registered and utilized by  
37 associations, cooperatives, or comparable groups of grocery store  
38 licensees.

1       (~~(9)~~) (10) Upon approval by the board, the grocery store  
2 licensee may also receive an endorsement to permit the international  
3 export of beer, strong beer, and wine.

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

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

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

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

17       (~~(10)~~) (11) A grocery store licensee holding a snack bar  
18 license under RCW 66.24.350 may receive an endorsement to allow the  
19 sale of confections containing more than one percent but not more  
20 than ten percent alcohol by weight to persons twenty-one years of age  
21 or older.

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

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

26       Correct the title.

EFFECT: (1) Clarifies that the reference to "fifty percent of  
beer and/or wine sales" refers to the percentage of total sales  
revenues of the grocery store licensee.

(2) Prohibits a person from using an electronic benefit transfer  
card in a licensed grocery store for the purchase of beer or cider in  
a reusable container brought to the licensed premises by the  
customer.

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