

SENATE BILL REPORT

HB 1124

As Reported by Senate Committee On:
Commerce & Labor, March 27, 2015

Title: An act relating to permitting the sampling of beer and wine at locations licensed to serve beer and wine for on-premises consumption.

Brief Description: Permitting the sampling of beer and wine at locations licensed to serve beer and wine for on-premises consumption.

Sponsors: Representatives Takko, Morris, Springer and Fey.

Brief History: Passed House: 3/11/15, 93-5.

Committee Activity: Commerce & Labor: 3/25/15, 3/27/15 [DPA].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended.

Signed by Senators Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway, Keiser, King and Warnick.

Staff: Richard Rodger (786-7461)

Background: No person may sell or distribute beer or wine without a license from the Liquor Control Board (LCB), and licenses are divided into two categories: those for on-premises consumption and off-premises consumption. LCB issues many types of liquor licenses permitting the service of beer and wine for on-premises consumption, including beer and/or wine restaurants, taverns, night clubs, and breweries and microbreweries.

In general no person, even a licensee, may serve any alcoholic beverage free of charge. Sampling is allowed for licensees of domestic wineries, certain grocery stores, beer and wine specialty shops, and at certain qualifying farmers markets.

Domestic wineries may provide samples of wine of their own production, with or without a charge. There is no statutory limit on the size or number of samples per customer.

Grocery stores holding a tasting endorsement may provide samples of beer or wine. Samples are limited to 2 ounces or less, with a maximum of 4 ounces per customer during any one visit.

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.

Beer and wine specialty shops may provide samples of beer or wine, with or without a charge. Samples are limited to 2 ounces or less, and LCB's administrative rules limit the total amount of samples to 10 ounces per customer per visit.

With the proper endorsements, up to a total of three domestic wineries and/or microbreweries may provide samples at a qualifying farmers market. Samples must be 2 ounces or less, and the winery or microbrewery may serve a total of 2 ounces of wine or beer to a customer per day.

Summary of Bill (Recommended Amendments): Any licensee authorized to serve beer on tap or wine for on-premises consumption may also provide samples of beer and wine free of charge. Samples must be 2 ounces or smaller, and licensees may provide a maximum of 4 ounces of samples per customer per day.

Licensed domestic wineries, grocery stores, beer and wine specialty shops, and qualifying farmers markets that are already permitted to conduct sampling and tasting are exempt.

EFFECT OF CHANGES MADE BY COMMERCE & LABOR COMMITTEE (Recommended Amendments): Reduces the maximum limit for samples of beer and wine to a total of 4 ounces.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on House Bill: PRO: Current law requires that you charge at least the cost of acquisition and creates a gray area if you provide just a taste. The bill provides clarity and allows what has been a common practice. We support the bill with a small amendment to reduce the serving limit to 4 ounces of wine. We don't see this as a public safety issue.

Persons Testifying: PRO: Julia Gorton, WA Restaurant Assn.; Josh McDonald, WA Wine Institute; Rowland Thompson, Wine Institute; James Paribello, LCB.

Persons Signed in to Testify But Not Testifying: No one.