

# SENATE BILL REPORT

## SSB 5292

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As Amended by House, April 13, 2015

**Title:** An act relating to protecting children and youth from powdered alcohol.

**Brief Description:** Protecting children and youth from powdered alcohol.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Roach, Billig, Hasegawa and Benton).

**Brief History:**

**Committee Activity:** Law & Justice: 1/26/15, 2/17/15, 2/18/15 [DPS].

Passed Senate: 3/03/15, 48-0.

Passed House: 4/13/15, 91-6.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** That Substitute Senate Bill No. 5292 be substituted therefor, and the substitute bill do pass.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille, Kohl-Welles, Pearson and Roach.

**Staff:** Melissa Burke-Cain (786-7755)

**Background:** A manufacturer plans to market an alcohol product made with a starch – cyclodextrin – that binds alcohol in a dry powder. Consumers add water to the powder to release the alcohol. Powdered alcohol poses health and safety risks to children and youth. The U.S. Alcohol Tobacco and Trade Bureau must approve the alcohol-based product for sale.

Washington laws regulate liquor sales and possession, but powdered alcohol may fall outside current state liquor control laws. These laws prohibit liquor sales to minors. Currently at least six states limit powdered alcohol sales. The states are Alaska, Colorado, Delaware, Louisiana, South Carolina, and Vermont. Lawmakers in Minnesota, New Jersey, New York, and Ohio are considering similar laws.

**Summary of Substitute Bill:** All current laws on the use, possession, purchase, and sale of liquor apply to powdered alcohol. Persons under age 21 cannot possess or consume

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powdered alcohol. Exemptions apply to powdered alcohol for medical use and religious services.

Powdered alcohol is also added to the definition of spirits so that any revenue-related laws and rules that apply to spirits will apply to powdered alcohol.

**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 Original Bill:** PRO: Washington has an opportunity to be in the vanguard in protecting youth from this substance.

**Persons Testifying:** PRO: Senator Roach, prime sponsor.

**House Amendment(s):**

- Makes the possession, sale, and use of powdered alcohol a misdemeanor, except for certain bona fide research purposes.
- Removes powdered alcohol from the regulation similar to other liquors.
- Amends the intent statement.
- Adds an emergency clause.