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HOUSE BILL 1198

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Vick, Kirby, and Hayes

Read first time 01/15/15. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to the sale of beer and cider by grocery store  
2 licensees; and amending RCW 66.24.360.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

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

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

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

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

8 (6) Upon approval by the board, the grocery store licensee may  
9 also receive an endorsement to permit the sale of beer and cider, as  
10 defined in RCW 66.24.210(6) in a sanitary container brought to the  
11 premises by the purchaser, or provided by the licensee or  
12 manufacturer, and filled at the tap by the licensee at the time of  
13 sale by an employee of the licensee holding a class 12 alcohol server  
14 permit.

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

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

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

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

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

35 ~~((+7))~~ (8) Licensees holding a grocery store license must  
36 maintain a minimum three thousand dollar inventory of food products  
37 for human consumption, not including pop, beer, strong beer, or wine.

38 ~~((+8))~~ (9) A grocery store licensee with a wine retailer  
39 reseller endorsement may accept delivery of wine at its licensed  
40 premises or at one or more warehouse facilities registered with the

1 board, which facilities may also warehouse and distribute nonliquor  
2 items, and from which it may deliver to its own licensed premises  
3 and, pursuant to sales permitted by this title, to other licensed  
4 premises, to other registered facilities, or to lawful purchasers  
5 outside the state. Facilities may be registered and utilized by  
6 associations, cooperatives, or comparable groups of grocery store  
7 licensees.

8 ~~((+9))~~ (10) Upon approval by the board, the grocery store  
9 licensee may also receive an endorsement to permit the international  
10 export of beer, strong beer, and wine.

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

14 (b) Any beer, strong beer, and wine sold under this endorsement  
15 must be intended for consumption outside the state of Washington and  
16 the United States and appropriate records must be maintained by the  
17 licensee.

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

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

24 ~~((+10))~~ (11) A grocery store licensee holding a snack bar  
25 license under RCW 66.24.350 may receive an endorsement to allow the  
26 sale of confections containing more than one percent but not more  
27 than ten percent alcohol by weight to persons twenty-one years of age  
28 or older.

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

30 (13) Nothing in this section limits the authority of the board to  
31 regulate the sale of beer or cider or container sizes under rules  
32 adopted pursuant to RCW 66.08.030.

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