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SENATE BILL 6390

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State of Washington

64th Legislature

2016 Regular Session

By Senators Warnick and Bailey

Read first time 01/19/16. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to increasing the number of wineries and  
2 microbreweries that may offer wine or beer samples at farmers  
3 markets; and amending RCW 66.24.175.

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

5 **Sec. 1.** RCW 66.24.175 and 2014 c 105 s 2 are each amended to  
6 read as follows:

7 (1) A qualifying farmers market authorized to allow wineries to  
8 sell bottled wine at retail under RCW 66.24.170 or microbreweries to  
9 sell bottled beer at retail under RCW 66.24.244, or both, may apply  
10 to the liquor (~~control~~) and cannabis board for an endorsement to  
11 allow sampling of wine or beer or both. A winery or microbrewery  
12 offering samples under this section must have an endorsement from the  
13 board to sell wine or beer, as the case may be, of its own production  
14 at a qualifying farmers market under RCW 66.24.170 or 66.24.244,  
15 respectively.

16 (2) Samples may be offered only under the following conditions:

17 (a) No more than (~~three~~) six wineries or microbreweries  
18 combined may offer samples at a qualifying farmers market per day.

19 (b) Samples must be two ounces or less. A winery or microbrewery  
20 may provide a maximum of two ounces of wine or beer to a customer per  
21 day.

1 (c) A winery or microbrewery may advertise that it offers samples  
2 only at its designated booth, stall, or other designated location at  
3 the farmers market.

4 (d) Customers must remain at the designated booth, stall, or  
5 other designated location while sampling beer or wine.

6 (e) Winery and microbrewery licensees and employees who are  
7 involved in sampling activities under this section must hold a class  
8 12 or class 13 alcohol server permit.

9 (f) A winery or microbrewery must have food available for  
10 customers to consume while sampling beer or wine, or must be adjacent  
11 to a vendor offering prepared food.

12 (3) The board may establish additional requirements to ensure  
13 that persons under twenty-one years of age and apparently intoxicated  
14 persons may not possess or consume alcohol under the authority  
15 granted in this section.

16 (4) The board may prohibit sampling at a farmers market that is  
17 within the boundaries of an alcohol impact area recognized by  
18 resolution of the board if the board finds that the sampling  
19 activities at the farmers market have an adverse effect on the  
20 reduction of chronic public inebriation in the area.

21 (5) If a winery or microbrewery is found to have committed a  
22 public safety violation in conjunction with tasting activities, the  
23 board may suspend the licensee's farmers market endorsement and not  
24 reissue the endorsement for up to two years from the date of the  
25 violation. If mitigating circumstances exist, the board may offer a  
26 monetary penalty in lieu of suspension during a settlement  
27 conference.

28 (6) For the purposes of this section, a "qualifying farmers  
29 market" has the same meaning as defined in RCW 66.24.170.

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