

ESB 5665 - H COMM AMD  
By Committee on Commerce & Gaming

ADOPTED AND ENGROSSED 4/11/17

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 66.28.270 and 2009 c 373 s 11 are each amended to  
4 read as follows:

5 (1) Nothing in this chapter prohibits the use of checks, credit  
6 or debit cards, prepaid accounts, electronic funds transfers, and  
7 other similar methods as approved by the board, as cash payments for  
8 purposes of this title. Electronic (~~(fund[s])~~) funds transfers must  
9 be: (~~((1))~~) (a) Voluntary; (~~((2))~~) (b) conducted pursuant to a prior  
10 written agreement of the parties that includes a provision that the  
11 purchase be initiated by an irrevocable invoice or sale order before  
12 the time of delivery; (~~((3))~~) (c) initiated by the retailer,  
13 manufacturer, importer, or distributor no later than the first  
14 business day following delivery; and (~~((4))~~) (d) completed as  
15 promptly as is reasonably practical, and in no event(~~((7))~~) later than  
16 five business days following delivery.

17 (2) Any person licensed as a distributor of beer, spirits, and/or  
18 wine may pass credit card fees on to a purchaser licensed to sell  
19 beer, spirits, and/or wine for consumption on the licensed premises,  
20 if the decision to use a credit card is entirely voluntary and the  
21 credit card fees are set out as a separate line item on the  
22 distributor's invoice. Nothing in this section requires the use of a  
23 credit card by any licensee. In establishing the fees to be passed on  
24 as authorized in this section a distributor must use the same method  
25 of determining or calculating such fees for all customers who elect  
26 to use a credit card when accepting delivery of beer, spirits and/or  
27 wine. The aggregate of all credit card fees passed on to customers by  
28 a distributor as authorized under this section during a calendar  
29 month, or such longer time as may be established by the board, may  
30 not exceed the aggregate of the fees imposed on that distributor by  
31 credit card issuers during that same time period."

1 Correct the title.

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