

SENATE BILL REPORT

HB 1672

As Reported by Senate Committee On:
Labor & Commerce, March 28, 2019

Title: An act relating to recorking wine at wineries and tasting rooms.

Brief Description: Allowing recorking wine at wineries and tasting rooms.

Sponsors: Representatives Steele, Kirby, Rude, Jenkin, Eslick and Doglio.

Brief History: Passed House: 3/01/19, 95-0.

Committee Activity: Labor & Commerce: 3/19/19, 3/28/19 [DPA].

Brief Summary of Amended Bill

- Allows customers to remove recorked wine, purchased for on-premises consumption, from domestic wineries and tasting rooms.
- Provides that certain restaurants and clubs with overnight accommodations may allow customers to remove from the premises unfinished, recorked or recapped sake, which was purchased for on-premises consumption.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass as amended.

Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun, Saldaña, Walsh and Wellman.

Staff: Richard Rodger (786-7461)

Background: The Liquor and Cannabis Board issues a domestic winery license that authorizes in-state wine manufacturing. A domestic winery may distribute and sell the wine it produces for retail, and licensees must comply with applicable wine distribution and retail laws and rules. A domestic winery is authorized to operate up to four tasting rooms at locations separate from its production or manufacturing sites. At the tasting rooms, the winery may serve samples of its own products, sell wine of its own production, and may sell its wine for off-premises consumption.

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.

The retailers holding the beer and/or wine restaurant license, the spirits, beer, and wine restaurant license, and the clubs licensed with overnight sleeping accommodations, are authorized to allow customers to remove from the premises any unfinished portion of wine, recorked or recapped in its original container, if it was purchased for consumption with a meal.

Summary of Amended Bill: A customer of a licensed domestic winery may remove any unused portion of wine from the premises of the winery or tasting room. To be removed, the wine must be recapped or recorked, in its original container, and purchased for on-premises consumption.

The retailers currently authorized to allow a customer remove an unfinished portion of wine from the premises, may also allow the customers to remove an unfinished portion of sake from the premises. The sake must have been purchased for consumption with a meal and is recorked or recapped in its original container.

EFFECT OF LABOR & COMMERCE COMMITTEE AMENDMENT(S): Provides that certain restaurants and clubs with overnight accommodations may allow customers to remove from the premises unfinished, recorked or recapped sake, which was purchased for on-premises consumption. Amends the title.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill concept came up when a group of winery employees met with LCB's enforcement officers in a educational briefing. The employees suggested that question of wineries allowing customers to take partial bottles of wine home with them should be clarified. The LCB examined the issue and it was unclear if it had the authority to make such a rule change. The LCB supports this clarifying legislation. This is also a prevention issue that promotes moderation. Customers will not feel compelled to consume the entire bottle of wine if they can take the remainder of the bottle home. The existing open container laws will apply to this provision, just as it does for the similar authority for restaurants. The customer will have to place the bottle in the trunk or where it is inaccessible to the driver.

Persons Testifying: PRO: Representative Mike Steele, Prime Sponsor; Seth Dawson, Washington State Association for Substance Abuse Prevention; Chris Thompson, Liquor and Cannabis Board; Josh McDonald, Washington Wine Institute; James McMahan, Washington Association of Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying: No one.