
SUBSTITUTE SENATE BILL 6095

State of Washington

66th Legislature

2020 Regular Session

By Senate Labor & Commerce (originally sponsored by Senator Keiser)

READ FIRST TIME 02/05/20.

1 AN ACT Relating to common carrier activities that are not
2 prohibited under the three-tier system; and amending RCW 66.28.295.

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

4 **Sec. 1.** RCW 66.28.295 and 2011 c 66 s 2 are each amended to read
5 as follows:

6 Nothing in RCW 66.28.290 shall prohibit:

7 (1) A licensed domestic brewery or microbrewery from being
8 licensed as a retailer pursuant to chapter 66.24 RCW for the purpose
9 of selling beer or wine at retail on the brewery premises and at one
10 additional off-site retail only location.

11 (2) A domestic winery from being licensed as a retailer pursuant
12 to chapter 66.24 RCW for the purpose of selling beer or wine at
13 retail on the winery premises. Such beer and wine so sold at retail
14 shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210
15 and to reporting and bonding requirements as prescribed by
16 regulations adopted by the board pursuant to chapter 34.05 RCW, and
17 beer and wine that is not produced by the brewery or winery shall be
18 purchased from a licensed beer or wine distributor.

19 (3) A microbrewery holding a beer and/or wine restaurant license
20 under RCW 66.24.320 from holding the same privileges and endorsements
21 attached to the beer and/or wine restaurant license.

1 (4) A licensed craft distillery from selling spirits of its own
2 production under RCW 66.24.145.

3 (5) A licensed distiller, domestic brewery, microbrewery,
4 domestic winery, or a lessee of a licensed domestic brewer,
5 microbrewery, or domestic winery, from being licensed as a spirits,
6 beer, and wine restaurant pursuant to chapter 66.24 RCW for the
7 purpose of selling liquor at a spirits, beer, and wine restaurant
8 premises on the property on which the primary manufacturing facility
9 of the licensed distiller, domestic brewer, microbrewery, or domestic
10 winery is located or on contiguous property owned or leased by the
11 licensed distiller, domestic brewer, microbrewery, or domestic winery
12 as prescribed by rules adopted by the board pursuant to chapter 34.05
13 RCW.

14 (6) A microbrewery holding a spirits, beer, and wine restaurant
15 license under RCW 66.24.420 from holding the same privileges and
16 endorsements attached to the spirits, beer, and wine restaurant
17 license.

18 (7) A brewery or microbrewery holding a spirits, beer, and wine
19 restaurant license or a beer and/or wine license under chapter 66.24
20 RCW operated on the premises of the brewery or microbrewery from
21 holding a second retail only license at a location separate from the
22 premises of the brewery or microbrewery.

23 (8) Retail licensees with a caterer's endorsement issued under
24 RCW 66.24.320 or 66.24.420 from operating on a domestic winery
25 premises.

26 (9) An organization qualifying under RCW 66.24.375 formed for the
27 purpose of constructing and operating a facility to promote
28 Washington wines from holding retail licenses on the facility
29 property or leasing all or any portion of such facility property to a
30 retail licensee on the facility property if the members of the board
31 of directors or officers of the board for the organization include
32 officers, directors, owners, or employees of a licensed domestic
33 winery. Financing for the construction of the facility must include
34 both public and private money.

35 (10) A bona fide charitable nonprofit society or association
36 registered under Title 26 U.S.C. Sec. 501(c)(3) of the federal
37 internal revenue code, or a local wine industry association
38 registered under Title 26 U.S.C. Sec. 501(c)(6) of the federal
39 internal revenue code as it existed on July 22, 2007, and having an
40 officer, director, owner, or employee of a licensed domestic winery

1 or a wine certificate of approval holder on its board of directors
2 from holding a special occasion license under RCW 66.24.380.

3 (11) A person licensed pursuant to RCW 66.24.170, 66.24.240, or
4 66.24.244 from exercising the privileges of distributing and selling
5 at retail such person's own production or from exercising any other
6 right or privilege that attaches to such license.

7 (12) A person holding a certificate of approval pursuant to RCW
8 66.24.206 from obtaining an endorsement to act as a distributor of
9 their own product or from shipping their own product directly to
10 consumers as authorized by RCW 66.20.360.

11 (13) A person holding a wine shipper's permit pursuant to RCW
12 66.20.375 from shipping their own product directly to consumers.

13 (14) A person holding a certificate of approval pursuant to RCW
14 66.24.270(2) from obtaining an endorsement to act as a distributor of
15 their own product.

16 (15) A domestic winery and a restaurant licensed under RCW
17 66.24.320 or 66.24.400 from entering an arrangement to waive a
18 corkage fee.

19 (16) A common carrier licensed under RCW 66.24.395 from:

20 (a) Transporting liquor without charge or at a discounted rate
21 when the liquor was purchased by a ticketed passenger and is not
22 intended to be sold for resale;

23 (b) Displaying or distributing information about an industry
24 member provided the industry member did not pay the common carrier to
25 have the information displayed or distributed;

26 (c) Sponsoring any public or private event including those hosted
27 by or otherwise affiliated with an industry member;

28 (d) Accepting payment from an industry member for advertising,
29 provided:

30 (i) The advertising appears in a publication produced and
31 distributed to passengers of the common carrier;

32 (ii) The amount of the payment is consistent with the advertising
33 rates paid by other advertisers purchasing similar advertisements in
34 the same publication; and

35 (iii) The payment is not used as an inducement to purchase the
36 products of the industry member paying for the advertising nor does
37 it result in the exclusion of products of other industry members.

38 (17) An industry member, subject to the requirements of its
39 license, from entering into an arrangement to provide tastings with

1 or without charge to passengers of a common carrier holding a license
2 under RCW 66.24.395.

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