

SENATE BILL REPORT

SB 6122

As of January 18, 2024

Title: An act relating to alcohol delivery.

Brief Description: Licensing alcohol delivery.

Sponsors: Senators Conway and Stanford.

Brief History:

Committee Activity: Labor & Commerce: 1/22/24.

Brief Summary of Bill

- Creates a license for third-party alcohol delivery services that are overseen by the Liquor and Cannabis Board (LCB).
- Removes the July 1, 2025, expiration date for certain alcohol delivery privileges.
- Establishes additional requirements for alcohol deliveries, including verifying the customer ordering, paying, and receiving the alcohol is the same person, is over 21 years old, and shows no signs of impairment.
- Directs the LCB to create, regulate, and adopt provisions for a responsible alcohol delivery program.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Madeline Ralstin (786-7356)

Background: In 2021 the Legislature temporarily extended, until July 1, 2023, privileges that the Liquor and Cannabis Board (LCB) provided to licensees to mitigate the impact of the COVID-19 pandemic. The temporary privileges included allowing certain licensees to sell alcohol products at retail for curbside service, takeout, and delivery.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

In 2023 the Legislature passed SSB 5448, which removed the expiration of July 1, 2023, of the temporary liquor license privileges, except for the authorization of alcohol for delivery. Current law provides that no alcohol products may be sold by delivery under the privileges after July 1, 2025. Third-party delivery services are not licensed for alcohol sales and services. SSB 5448 also required the LCB to submit recommendations to the Governor and appropriate committees of the Legislature for a comprehensive alcohol delivery policy by November 1, 2023. On November 1, 2023, the LCB provided its report to the Legislature with its recommendations.

Summary of Bill: License for Third-Party Alcohol Delivery Services. A third-party alcohol delivery service license is established to deliver alcoholic beverages from retail liquor licensees to consumers. The annual licensing fee is \$2,500. The LCB may make rules to implement the third-party alcohol delivery service license and any other necessary rules concerning alcohol delivery.

Permits for Alcohol Delivery. The requirement that an employee conducting alcohol deliveries for a licensee must have a class 12 alcohol server permit is expanded to include individuals delivering alcohol for third-party delivery service licensees.

Endorsements for Alcohol Delivery. Alcohol delivery privileges are extended to third-party delivery service licensees. Language is modified to require alcohol delivery be performed by an employee of an alcohol delivery endorsement holder, or an individual hired by a third-party delivery service licensee, who is 21 years of age or older and possesses a class 12 permit.

The expiration date of July 1, 2025, for alcohol delivery privileges for certain licensees is removed.

Verifying Identification. A person performing alcohol delivery is required to verify the age of the person receiving the delivery by checking a valid form of identification approved by the LCB. The customer ordering, paying, and receiving the alcohol must be the same person, over the age of 21, and show no signs of impairment.

Responsible Alcohol Delivery Program. The LCB must create, regulate, and adopt provisions for a responsible alcohol delivery program. Criteria for the responsible alcohol delivery program qualifications includes:

- reduced penalties and fines for businesses participating in good standing in the responsible alcohol delivery program; and
- penalty mitigation opportunities for businesses engaging in board-approved controlled purchase programs, such as in-house compliance checks, with mandatory compliance results reporting to the LCB.

The LCB must conduct mandatory compliance checks within 90 days of a business failing

any required compliance check.

Appropriation: None.

Fiscal Note: Requested on January 9, 2024.

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

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