
HOUSE BILL 1803

State of Washington

68th Legislature

2023 Regular Session

By Representative Steele

Read first time 02/09/23. Referred to Committee on Regulated Substances & Gaming.

1 AN ACT Relating to creating an endorsement to the beer and/or
2 wine specialty shop license; and amending RCW 66.24.371.

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

4 **Sec. 1.** RCW 66.24.371 and 2017 c 96 s 3 are each amended to read
5 as follows:

6 (1) (a) There shall be a beer and/or wine retailer's license to be
7 designated as a beer and/or wine specialty shop license to sell beer,
8 strong beer, and/or wine at retail in bottles, cans, and original
9 containers, not to be consumed upon the premises where sold except as
10 provided in (b) of this subsection, at any store other than the state
11 liquor stores. Licensees obtaining a written endorsement from the
12 board may also sell malt liquor in kegs or other containers capable
13 of holding four gallons or more of liquid. The annual fee for the
14 beer and/or wine specialty shop license is (~~one hundred dollars~~)
15 \$100 for each store. The sale of any container holding four gallons
16 or more must comply with RCW 66.28.200 and 66.28.220.

17 (b) There is an endorsement available to the beer and/or wine
18 specialty shop license, for a cost of \$100 per year, authorizing the
19 holder to sell the following amounts of beer or wine to a customer
20 per day for on-premises consumption:

21 (i) Two glasses of wine;

1 (ii) Two glasses, open cans, or open bottles of beer or strong
2 beer; or

3 (iii) One glass of wine and one glass, open can, or open bottle
4 of beer or strong beer.

5 (c) Any person selling or serving wine, beer, or strong beer for
6 on-premises consumption in accordance with (b) of this subsection
7 must obtain a class 12 or class 13 alcohol server permit.

8 (2) Licensees under this section may provide, free or for a
9 charge, single-serving samples of two ounces or less to customers for
10 the purpose of sales promotion. Sampling activities of licensees
11 under this section are subject to RCW 66.28.305 and 66.28.040 and the
12 cost of sampling under this section may not be borne, directly or
13 indirectly, by any manufacturer, importer, or distributor of liquor.

14 (3) Upon approval by the board, the beer and/or wine specialty
15 shop licensee that exceeds ((fifty)) 50 percent beer and/or wine
16 sales may also receive an endorsement to permit the sale of beer to a
17 purchaser in a sanitary container brought to the premises by the
18 purchaser, or provided by the licensee or manufacturer, and fill at
19 the tap by the licensee at the time of sale. If the beer and/or wine
20 specialty shop licensee does not exceed ((fifty)) 50 percent beer
21 and/or wine sales, the board may waive the ((fifty)) 50 percent beer
22 and/or wine sale criteria if the beer and/or wine specialty shop
23 maintains alcohol inventory that exceeds ((fifteen thousand dollars))
24 \$15,000.

25 (4) The board shall issue a restricted beer and/or wine specialty
26 shop license, authorizing the licensee to sell beer and only table
27 wine, if the board finds upon issuance or renewal of the license that
28 the sale of strong beer or fortified wine would be against the public
29 interest. In determining the public interest, the board shall
30 consider at least the following factors:

31 (a) The likelihood that the applicant will sell strong beer or
32 fortified wine to persons who are intoxicated;

33 (b) Law enforcement problems in the vicinity of the applicant's
34 establishment that may arise from persons purchasing strong beer or
35 fortified wine at the establishment; and

36 (c) Whether the sale of strong beer or fortified wine would be
37 detrimental to or inconsistent with a government-operated or funded
38 alcohol treatment or detoxification program in the area.

39 If the board receives no evidence or objection that the sale of
40 strong beer or fortified wine would be against the public interest,

1 it shall issue or renew the license without restriction, as
2 applicable. The burden of establishing that the sale of strong beer
3 or fortified wine by the licensee would be against the public
4 interest is on those persons objecting.

5 (5) Licensees holding a beer and/or wine specialty shop license
6 must maintain a minimum (~~(three thousand dollar)~~) \$3,000 wholesale
7 inventory of beer, strong beer, and/or wine.

8 (6) The board may adopt rules to implement this section.

9 (7) Any endorsement issued pursuant to this section may be issued
10 to a qualified combination spirits, beer, and wine licensee in
11 accordance with RCW 66.24.035.

12 (8) (a) A beer and/or wine specialty shop licensee that also holds
13 a spirits retail license under RCW 66.24.630 may, upon board approval
14 and pursuant to board rules, transition to a combination spirits,
15 beer, and wine license pursuant to RCW 66.24.035.

16 (b) An applicant that would qualify for a beer and/or wine
17 specialty shop license under this section and a spirits retail
18 license under RCW 66.24.630 may apply for a single license pursuant
19 to RCW 66.24.035 instead of applying for a beer and/or wine specialty
20 shop license under this section in addition to a spirits retail
21 license under RCW 66.24.630.

--- END ---