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**SUBSTITUTE SENATE BILL 5448**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senate Labor & Commerce (originally sponsored by Senators MacEwen, Mullet, Nguyen, and Shewmake)

READ FIRST TIME 02/16/23.

1 AN ACT Relating to liquor licensee privileges for the delivery of  
2 alcohol; amending RCW 66.20.320, 66.08.180, and 66.24.660; amending  
3 2021 c 48 s 2 (uncodified); reenacting and amending RCW 66.04.010 and  
4 66.20.310; adding new sections to chapter 66.24 RCW; and declaring an  
5 emergency.

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

7 **Sec. 1.** 2021 c 48 s 2 (uncodified) is amended to read as  
8 follows:

9 ~~(1) ((The board must implement the provisions of this section as~~  
10 ~~expeditiously as possible. Liquor licensees may conduct activities~~  
11 ~~authorized under this section before completion by the board of~~  
12 ~~actions the board plans to take in order to implement this act, such~~  
13 ~~as adoption of rules or completion of information system changes~~  
14 ~~necessary to allow licensees to apply for required endorsements.~~  
15 ~~However, licensees must comply with board rules when they take~~  
16 ~~effect.~~

17 ~~(2))~~ The following licensees may sell alcohol products at retail  
18 for ~~((curbside and))~~ takeout ~~((service))~~ or delivery or both under  
19 liquor and cannabis board licenses and endorsements: Beer and wine  
20 restaurants; spirits, beer, and wine restaurants; taverns; domestic

1 wineries; domestic breweries and microbreweries; distilleries; snack  
2 bars; nonprofit arts licensees; and caterers.

3 ~~((3))~~ (2) Spirits, beer, and wine restaurant licensees may sell  
4 premixed cocktails ~~((and cocktail kits))~~ for takeout ~~((or curbside  
5 service))~~ and for delivery. The board may establish by rule the  
6 manner in which premixed cocktails for off-premises consumption must  
7 be provided. This subsection does not authorize the sale of ~~((full))~~  
8 bottles of spirits by licensees for off-premises consumption ~~((, with  
9 the exception of mini-bottles as part of cocktail kits. Mini-bottle  
10 sales authorized under this subsection as part of cocktail kits are  
11 exempt from the spirits license issuance fee under RCW  
12 66.24.630(4)(a) and the tax on each retail sale of spirits under RCW  
13 82.08.150))~~.

14 ~~((4))~~ (3) Spirits, beer, and wine restaurant licensees may sell  
15 wine by the glass or premixed wine and spirits cocktails for takeout  
16 ~~((or curbside service))~~ and ~~((for))~~ delivery. Beer and wine  
17 restaurant licensees may sell wine or premixed wine drinks by the  
18 glass for takeout ~~((or curbside service))~~ and ~~((for))~~ delivery. The  
19 board may establish by rule the manner in which wine by the glass and  
20 premixed cocktails for off-premises consumption must be provided.

21 ~~((5))~~ (4) Licensees that were authorized by statute or rule  
22 before January 1, 2020, to sell growlers for on-premises consumption  
23 may sell growlers for off-premises consumption through ~~((curbside,))~~  
24 takeout ~~((,))~~ or delivery ~~((service))~~. Sale of growlers under this  
25 subsection must meet federal alcohol and tobacco tax and trade bureau  
26 requirements.

27 ~~((6))~~ (5) Licensees must obtain from the board an endorsement  
28 to their license in order to conduct activities authorized under  
29 subsections ~~((2))~~ (1) through ~~((5))~~ (4) of this section. The  
30 board may adopt rules governing the manner in which the activities  
31 authorized under this section must be conducted. ~~((Licensees))~~ Except  
32 as provided in section 5 of this act, licensees must not be charged a  
33 fee in order to obtain an endorsement required under this section.

34 ~~((7))~~ (6) Beer and wine specialty shops licensed under RCW  
35 66.24.371 and domestic breweries and microbreweries may sell  
36 prefilled growlers for off-premises consumption through takeout ~~((or  
37 curbside service))~~ and delivery, provided that prefilled growlers are  
38 sold the same day they are prepared for sale and not stored overnight  
39 for sale on future days.

1       ~~((8))~~ (7) The board must adopt or revise current rules to allow  
2 for outdoor service of alcohol by on-premises licensees holding  
3 licenses issued by the board for the following license types: Beer  
4 and wine restaurants; spirits, beer, and wine restaurants; taverns;  
5 domestic wineries; domestic breweries and microbreweries;  
6 distilleries; snack bars; and private clubs licensed under RCW  
7 66.24.450 and 66.24.452. The board may adopt requirements providing  
8 for clear accountability at locations where multiple licensees use a  
9 shared space for serving customers.

10       ~~((9))~~ (8) Upon delivery of any alcohol product authorized to be  
11 delivered under this section, the signature of the person age 21 or  
12 over receiving the delivery must be obtained.

13       ~~((10))~~ (9) The definitions in this subsection apply throughout  
14 this section unless the context clearly requires otherwise.

15       (a) "Board" means the liquor and cannabis board.

16       (b) "Growlers" means sanitary containers brought to the premises  
17 by the purchaser or furnished by the licensee and filled by the  
18 retailer at the time of sale.

19       ~~((c) "Mini-bottles" means original factory-sealed containers  
20 holding not more than 50 milliliters of a spirituous beverage.~~

21       ~~((11) This section expires July 1, 2023.)~~

22       (10) A licensee delivering alcohol under the authorization in  
23 this section or section 5 of this act must maintain a compliance rate  
24 of at least 95 percent per year in ensuring that all deliveries of  
25 alcohol are made only to a person who is 21 years of age or older who  
26 signs for the delivery as provided in subsection (8) of this section.  
27 The board may adopt rules establishing procedures to revoke the  
28 delivery privileges of a licensee who, in the board's discretion, is  
29 not in compliance with this subsection.

30       **Sec. 2.** RCW 66.04.010 and 2019 c 61 s 1 are each reenacted and  
31 amended to read as follows:

32       In this title, unless the context otherwise requires:

33       (1) "Alcohol" is that substance known as ethyl alcohol, hydrated  
34 oxide of ethyl, or spirit of wine, which is commonly produced by the  
35 fermentation or distillation of grain, starch, molasses, or sugar, or  
36 other substances including all dilutions and mixtures of this  
37 substance. The term "alcohol" does not include alcohol in the  
38 possession of a manufacturer or distiller of alcohol fuel, as  
39 described in RCW 66.12.130, which is intended to be denatured and

1 used as a fuel for use in motor vehicles, farm implements, and  
2 machines or implements of husbandry.

3 (2) "Authorized representative" means a person who:

4 (a) Is required to have a federal basic permit issued pursuant to  
5 the federal alcohol administration act, 27 U.S.C. Sec. 204;

6 (b) Has its business located in the United States outside of the  
7 state of Washington;

8 (c) Acquires ownership of beer or wine for transportation into  
9 and resale in the state of Washington; and which beer or wine is  
10 produced by a brewery or winery in the United States outside of the  
11 state of Washington; and

12 (d) Is appointed by the brewery or winery referenced in (c) of  
13 this subsection as its authorized representative for marketing and  
14 selling its products within the United States in accordance with a  
15 written agreement between the authorized representative and such  
16 brewery or winery pursuant to this title.

17 (3) "Beer" means any malt beverage, flavored malt beverage, or  
18 malt liquor as these terms are defined in this chapter.

19 (4) "Beer distributor" means a person who buys beer from a  
20 domestic brewery, microbrewery, beer certificate of approval holder,  
21 or beer importers, or who acquires foreign produced beer from a  
22 source outside of the United States, for the purpose of selling the  
23 same pursuant to this title, or who represents such brewer or brewery  
24 as agent.

25 (5) "Beer importer" means a person or business within Washington  
26 who purchases beer from a beer certificate of approval holder or who  
27 acquires foreign produced beer from a source outside of the United  
28 States for the purpose of selling the same pursuant to this title.

29 (6) "Board" means the liquor and cannabis board, constituted  
30 under this title.

31 (7) "Brewer" or "brewery" means any person engaged in the  
32 business of manufacturing beer and malt liquor. Brewer includes a  
33 brand owner of malt beverages who holds a brewer's notice with the  
34 federal bureau of alcohol, tobacco, and firearms at a location  
35 outside the state and whose malt beverage is contract-produced by a  
36 licensed in-state brewery, and who may exercise within the state,  
37 under a domestic brewery license, only the privileges of storing,  
38 selling to licensed beer distributors, and exporting beer from the  
39 state.

1 (8) "Club" means an organization of persons, incorporated or  
2 unincorporated, operated solely for fraternal, benevolent,  
3 educational, athletic, or social purposes, and not for pecuniary  
4 gain.

5 (9) "Confection" means a preparation of sugar, honey, or other  
6 natural or artificial sweeteners in combination with chocolate,  
7 fruits, nuts, dairy products, or flavorings, in the form of bars,  
8 drops, or pieces.

9 (10) "Consume" includes the putting of liquor to any use, whether  
10 by drinking or otherwise.

11 (11) "Contract liquor store" means a business that sells liquor  
12 on behalf of the board through a contract with a contract liquor  
13 store manager.

14 (12) "Craft distillery" means a distillery that pays the reduced  
15 licensing fee under RCW 66.24.140.

16 (13) "Delivery" means the transportation of alcohol to an  
17 individual located within Washington state from a licensed location  
18 holding an alcohol delivery endorsement as part of a to go order.  
19 "Delivery" does not include services provided by common carriers.

20 (14) "Dentist" means a practitioner of dentistry duly and  
21 regularly licensed and engaged in the practice of his or her  
22 profession within the state pursuant to chapter 18.32 RCW.

23 ((+14)) (15) "Distiller" means a person engaged in the business  
24 of distilling spirits.

25 ((+15)) (16) "Domestic brewery" means a place where beer and  
26 malt liquor are manufactured or produced by a brewer within the  
27 state.

28 ((+16)) (17) "Domestic winery" means a place where wines are  
29 manufactured or produced within the state of Washington.

30 ((+17)) (18) "Drug store" means a place whose principal business  
31 is, the sale of drugs, medicines, and pharmaceutical preparations and  
32 maintains a regular prescription department and employs a registered  
33 pharmacist during all hours the drug store is open.

34 ((+18)) (19) "Druggist" means any person who holds a valid  
35 certificate and is a registered pharmacist and is duly and regularly  
36 engaged in carrying on the business of pharmaceutical chemistry  
37 pursuant to chapter 18.64 RCW.

38 ((+19)) (20) "Employee" means any person employed by the board.

39 ((+20)) (21) "Flavored malt beverage" means:

1 (a) A malt beverage containing six percent or less alcohol by  
2 volume to which flavoring or other added nonbeverage ingredients are  
3 added that contain distilled spirits of not more than forty-nine  
4 percent of the beverage's overall alcohol content; or

5 (b) A malt beverage containing more than six percent alcohol by  
6 volume to which flavoring or other added nonbeverage ingredients are  
7 added that contain distilled spirits of not more than one and  
8 one-half percent of the beverage's overall alcohol content.

9 ~~((21))~~ (22) "Fund" means 'liquor revolving fund.'

10 ~~((22))~~ (23) "Hotel" means buildings, structures, and grounds,  
11 having facilities for preparing, cooking, and serving food, that are  
12 kept, used, maintained, advertised, or held out to the public to be a  
13 place where food is served and sleeping accommodations are offered  
14 for pay to transient guests, in which twenty or more rooms are used  
15 for the sleeping accommodation of such transient guests. The  
16 buildings, structures, and grounds must be located on adjacent  
17 property either owned or leased by the same person or persons.

18 ~~((23))~~ (24) "Importer" means a person who buys distilled  
19 spirits from a distillery outside the state of Washington and imports  
20 such spirituous liquor into the state for sale to the board or for  
21 export.

22 ~~((24))~~ (25) "Imprisonment" means confinement in the county  
23 jail.

24 ~~((25))~~ (26) "Liquor" includes the four varieties of liquor  
25 herein defined (alcohol, spirits, wine, and beer), and all fermented,  
26 spirituous, vinous, or malt liquor, or combinations thereof, and  
27 mixed liquor, a part of which is fermented, spirituous, vinous or  
28 malt liquor, or otherwise intoxicating; and every liquid or solid or  
29 semisolid or other substance, patented or not, containing alcohol,  
30 spirits, wine, or beer, and all drinks or drinkable liquids and all  
31 preparations or mixtures capable of human consumption, and any  
32 liquid, semisolid, solid, or other substance, which contains more  
33 than one percent of alcohol by weight shall be conclusively deemed to  
34 be intoxicating. Liquor does not include confections or food products  
35 that contain one percent or less of alcohol by weight.

36 ~~((26))~~ (27) "Malt beverage" or "malt liquor" means any beverage  
37 such as beer, ale, lager beer, stout, and porter obtained by the  
38 alcoholic fermentation of an infusion or decoction of pure hops, or  
39 pure extract of hops and pure barley malt or other wholesome grain or  
40 cereal in pure water containing not more than eight percent of

1 alcohol by weight, and not less than one-half of one percent of  
2 alcohol by volume. For the purposes of this title, any such beverage  
3 containing more than eight percent of alcohol by weight shall be  
4 referred to as "strong beer."

5 ~~((27))~~ (28) "Manufacturer" means a person engaged in the  
6 preparation of liquor for sale, in any form whatsoever.

7 ~~((28))~~ (29) "Nightclub" means an establishment that provides  
8 entertainment and has as its primary source of revenue (a) the sale  
9 of alcohol for consumption on the premises, (b) cover charges, or (c)  
10 both.

11 ~~((29))~~ (30) "Package" means any container or receptacle used  
12 for holding liquor.

13 ~~((30))~~ (31) "Passenger vessel" means any boat, ship, vessel,  
14 barge, or other floating craft of any kind carrying passengers for  
15 compensation.

16 ~~((31))~~ (32) "Permit" means a permit for the purchase of liquor  
17 under this title.

18 ~~((32))~~ (33) "Person" means an individual, copartnership,  
19 association, or corporation.

20 ~~((33))~~ (34) "Physician" means a medical practitioner duly and  
21 regularly licensed and engaged in the practice of his or her  
22 profession within the state pursuant to chapter 18.71 RCW.

23 ~~((34))~~ (35) "Powdered alcohol" means any powder or crystalline  
24 substance containing alcohol that is produced for direct use or  
25 reconstitution.

26 ~~((35))~~ (36) "Prescription" means a memorandum signed by a  
27 physician and given by him or her to a patient for the obtaining of  
28 liquor pursuant to this title for medicinal purposes.

29 ~~((36))~~ (37) "Public place" includes streets and alleys of  
30 incorporated cities and towns; state or county or township highways  
31 or roads; buildings and grounds used for school purposes; public  
32 dance halls and grounds adjacent thereto; those parts of  
33 establishments where beer may be sold under this title, soft drink  
34 establishments, public buildings, public meeting halls, lobbies,  
35 halls and dining rooms of hotels, restaurants, theaters, stores,  
36 garages and filling stations which are open to and are generally used  
37 by the public and to which the public is permitted to have  
38 unrestricted access; railroad trains, stages, and other public  
39 conveyances of all kinds and character, and the depots and waiting  
40 rooms used in conjunction therewith which are open to unrestricted

1 use and access by the public; publicly owned bathing beaches, parks,  
2 and/or playgrounds; and all other places of like or similar nature to  
3 which the general public has unrestricted right of access, and which  
4 are generally used by the public.

5 ~~((37))~~ (38) "Regulations" means regulations made by the board  
6 under the powers conferred by this title.

7 ~~((38))~~ (39) "Restaurant" means any establishment provided with  
8 special space and accommodations where, in consideration of payment,  
9 food, without lodgings, is habitually furnished to the public, not  
10 including drug stores and soda fountains.

11 ~~((39))~~ (40) "Sale" and "sell" include exchange, barter, and  
12 traffic; and also include the selling or supplying or distributing,  
13 by any means whatsoever, of liquor, or of any liquid known or  
14 described as beer or by any name whatever commonly used to describe  
15 malt or brewed liquor or of wine, by any person to any person; and  
16 also include a sale or selling within the state to a foreign  
17 consignee or his or her agent in the state. "Sale" and "sell" shall  
18 not include the giving, at no charge, of a reasonable amount of  
19 liquor by a person not licensed by the board to a person not licensed  
20 by the board, for personal use only. "Sale" and "sell" also does not  
21 include a raffle authorized under RCW 9.46.0315: PROVIDED, That the  
22 nonprofit organization conducting the raffle has obtained the  
23 appropriate permit from the board.

24 ~~((40))~~ (41) "Service bar" means a fixed or portable table,  
25 counter, cart, or similar workstation primarily used to prepare, mix,  
26 serve, and sell alcohol that is picked up by employees or customers.  
27 Customers may not be seated or allowed to consume food or alcohol at  
28 a service bar.

29 ~~((41))~~ (42) "Soda fountain" means a place especially equipped  
30 with apparatus for the purpose of dispensing soft drinks, whether  
31 mixed or otherwise.

32 ~~((42))~~ (43) "Soju" means a traditional Korean distilled  
33 alcoholic beverage, produced using authentic Korean recipes and  
34 production methods, and derived from agricultural products, that  
35 contains not more than twenty-four percent of alcohol by volume.

36 ~~((43))~~ (44) "Spirits" means any beverage which contains alcohol  
37 obtained by distillation, except flavored malt beverages, but  
38 including wines exceeding twenty-four percent of alcohol by volume.

39 ~~((44))~~ (45) "Store" means a state liquor store established  
40 under this title.



1       (~~(45)~~) (46) "Tavern" means any establishment with special space  
2 and accommodation for sale by the glass and for consumption on the  
3 premises, of beer, as herein defined.

4       (~~(46)~~) (47) "VIP airport lounge" means an establishment within  
5 an international airport located beyond security checkpoints that  
6 provides a special space to sit, relax, read, work, and enjoy  
7 beverages where access is controlled by the VIP airport lounge  
8 operator and is generally limited to the following classifications of  
9 persons:

10       (a) Airline passengers of any age whose admission is based on a  
11 first-class, executive, or business class ticket;

12       (b) Airline passengers of any age who are qualified members or  
13 allowed guests of certain frequent flyer or other loyalty incentive  
14 programs maintained by airlines that have agreements describing the  
15 conditions for access to the VIP airport lounge;

16       (c) Airline passengers of any age who are qualified members or  
17 allowed guests of certain enhanced amenities programs maintained by  
18 companies that have agreements describing the conditions for access  
19 to the VIP airport lounge;

20       (d) Airport and airline employees, government officials, foreign  
21 dignitaries, and other attendees of functions held by the airport  
22 authority or airlines related to the promotion of business objectives  
23 such as increasing international air traffic and enhancing foreign  
24 trade where access to the VIP airport lounge will be controlled by  
25 the VIP airport lounge operator; and

26       (e) Airline passengers of any age or airline employees whose  
27 admission is based on a pass issued or permission given by the  
28 airline for access to the VIP airport lounge.

29       (~~(47)~~) (48) "VIP airport lounge operator" means an airline,  
30 port district, or other entity operating a VIP airport lounge that:  
31 Is accountable for compliance with the alcohol beverage control act  
32 under this title; holds the license under chapter 66.24 RCW issued to  
33 the VIP airport lounge; and provides a point of contact for  
34 addressing any licensing and enforcement by the board.

35       (~~(48)~~) (49) (a) "Wine" means any alcoholic beverage obtained by  
36 fermentation of fruits (grapes, berries, apples, et cetera) or other  
37 agricultural product containing sugar, to which any saccharine  
38 substances may have been added before, during or after fermentation,  
39 and containing not more than twenty-four percent of alcohol by  
40 volume, including sweet wines fortified with wine spirits, such as

1 port, sherry, muscatel, and angelica, not exceeding twenty-four  
2 percent of alcohol by volume and not less than one-half of one  
3 percent of alcohol by volume. For purposes of this title, any  
4 beverage containing no more than fourteen percent of alcohol by  
5 volume when bottled or packaged by the manufacturer shall be referred  
6 to as "table wine," and any beverage containing alcohol in an amount  
7 more than fourteen percent by volume when bottled or packaged by the  
8 manufacturer shall be referred to as "fortified wine." However,  
9 "fortified wine" shall not include: (i) Wines that are both sealed or  
10 capped by cork closure and aged two years or more; and (ii) wines  
11 that contain more than fourteen percent alcohol by volume solely as a  
12 result of the natural fermentation process and that have not been  
13 produced with the addition of wine spirits, brandy, or alcohol.

14 (b) This subsection shall not be interpreted to require that any  
15 wine be labeled with the designation "table wine" or "fortified  
16 wine."

17 ~~((49))~~ (50) "Wine distributor" means a person who buys wine  
18 from a domestic winery, wine certificate of approval holder, or wine  
19 importer, or who acquires foreign produced wine from a source outside  
20 of the United States, for the purpose of selling the same not in  
21 violation of this title, or who represents such vintner or winery as  
22 agent.

23 ~~((50))~~ (51) "Wine importer" means a person or business within  
24 Washington who purchases wine from a wine certificate of approval  
25 holder or who acquires foreign produced wine from a source outside of  
26 the United States for the purpose of selling the same pursuant to  
27 this title.

28 ~~((51))~~ (52) "Winery" means a business conducted by any person  
29 for the manufacture of wine for sale, other than a domestic winery.

30 **Sec. 3.** RCW 66.20.310 and 2019 c 64 s 21 are each reenacted and  
31 amended to read as follows:

32 (1)(a) There is an alcohol server permit, known as a class 12  
33 permit, for ~~((a))~~:

34 (i) A manager ~~((or bartender))~~;

35 (ii) A bartender selling or mixing alcohol, spirits, wines, or  
36 beer for consumption at an on-premises licensed facility; or

37 (iii) An employee conducting alcohol deliveries for a licensee  
38 that delivers alcohol under section 1 (as codified under section 8 of  
39 this act) or 5 of this act.

1 (b) There is an alcohol server permit, known as a class 13  
2 permit, for a person who only serves alcohol, spirits, wines, or beer  
3 for consumption at an on-premises licensed facility.

4 (c) As provided by rule by the board, a class 13 permit holder  
5 may be allowed to act as a bartender without holding a class 12  
6 permit.

7 (2)(a) Effective January 1, 1997, except as provided in (d) of  
8 this subsection, every alcohol server employed, under contract or  
9 otherwise, at a retail licensed premise must be issued a class 12 or  
10 class 13 permit.

11 (b) Every class 12 and class 13 permit issued must be issued in  
12 the name of the applicant and no other person may use the permit of  
13 another permit holder. The holder must present the permit upon  
14 request to inspection by a representative of the board or a peace  
15 officer. The class 12 or class 13 permit is valid for employment at  
16 any retail licensed premises described in (a) of this subsection.

17 (c) Except as provided in (d) of this subsection, no licensee  
18 holding a license as authorized by this section and RCW 66.20.300,  
19 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, 66.24.690,  
20 66.24.450, 66.24.570, 66.24.600, 66.24.610, 66.24.650, 66.24.655, and  
21 66.24.680 may employ or accept the services of any person without the  
22 person first having a valid class 12 or class 13 permit.

23 (d) Within sixty days of initial employment, every person whose  
24 duties include the compounding, sale, service, or handling of liquor  
25 must have a class 12 or class 13 permit.

26 (e) No person may perform duties that include the sale or service  
27 of alcoholic beverages on a retail licensed premises without  
28 possessing a valid alcohol server permit.

29 (f) Every person whose duties include the delivery of alcohol  
30 authorized under section 1 (as codified under section 8 of this act)  
31 or 5 of this act must have a class 12 permit before engaging in  
32 alcohol delivery and must pay a \$5 fee to the board at the time of  
33 issuance and replacement of a class 12 permit separate from the  
34 general cost of the class 12 permit. Moneys collected from this  
35 additional \$5 fee are allocated as provided in RCW 66.08.180(5). A  
36 delivery employee whose duties include the delivery of alcohol  
37 authorized under section 1 (as codified under section 8 of this act)  
38 or 5 of this act must complete an approved class 12 permit course  
39 that includes a curriculum component that covers best practices for  
40 delivery of alcohol.

1 (3) A permit issued by a training entity under this section is  
2 valid for employment at any retail licensed premises described in  
3 subsection (2)(a) of this section for a period of five years unless  
4 suspended by the board.

5 (4) The board may suspend or revoke an existing permit if any of  
6 the following occur:

7 (a) The applicant or permittee has been convicted of violating  
8 any of the state or local intoxicating liquor laws of this state or  
9 has been convicted at any time of a felony; or

10 (b) The permittee has performed or permitted any act that  
11 constitutes a violation of this title or of any rule of the board.

12 (5) The suspension or revocation of a permit under this section  
13 does not relieve a licensee from responsibility for any act of the  
14 employee or agent while employed upon the retail licensed premises.  
15 The board may, as appropriate, revoke or suspend either the permit of  
16 the employee who committed the violation or the license of the  
17 licensee upon whose premises the violation occurred, or both the  
18 permit and the license.

19 (6)(a) After January 1, 1997, it is a violation of this title for  
20 any retail licensee or agent of a retail licensee as described in  
21 subsection (2)(a) of this section to employ in the sale or service of  
22 alcoholic beverages, any person who does not have a valid alcohol  
23 server permit or whose permit has been revoked, suspended, or denied.

24 (b) It is a violation of this title for a person whose alcohol  
25 server permit has been denied, suspended, or revoked to accept  
26 employment in the sale or service of alcoholic beverages.

27 (7) Grocery stores licensed under RCW 66.24.360, the primary  
28 commercial activity of which is the sale of grocery products and for  
29 which the sale and service of beer and wine for on-premises  
30 consumption with food is incidental to the primary business, and  
31 employees of such establishments, are exempt from RCW 66.20.300  
32 through 66.20.350, except for employees whose duties include serving  
33 during tasting activities under RCW 66.24.363.

34 **Sec. 4.** RCW 66.20.320 and 1996 c 311 s 2 are each amended to  
35 read as follows:

36 (1) The board shall regulate a required alcohol server education  
37 program that includes:

38 (a) Development of the curriculum and materials for the education  
39 program;

1 (b) Examination and examination procedures;

2 (c) Certification procedures, enforcement policies, and penalties

3 for education program instructors and providers; and

4 (d) The curriculum for an approved class 12 alcohol permit

5 training program that includes but is not limited to the following

6 subjects:

7 (i) The physiological effects of alcohol including the effects of

8 alcohol in combination with drugs;

9 (ii) Liability and legal information;

10 (iii) Driving while intoxicated;

11 (iv) Intervention with the problem customer, including ways to

12 stop service, ways to deal with the belligerent customer, and

13 alternative means of transportation to get the customer safely home;

14 (v) Methods for checking proper identification of customers;

15 (vi) Nationally recognized programs, such as TAM (Techniques in

16 Alcohol Management) and TIPS (Training for Intervention Programs)

17 modified to include Washington laws and (~~regulations~~) rules; and

18 (vii) Best practices for delivery of alcohol for a course

19 approved for a person whose duties include the delivery of alcohol

20 authorized under section 1 (as codified under section 8 of this act)

21 or 5 of this act.

22 (2) The board shall provide the program through liquor licensee

23 associations, independent contractors, private persons, private or

24 public schools certified by the board, or any combination of such

25 providers.

26 (3) Each training entity shall provide a class 12 permit to the

27 manager (~~or~~), bartender, or delivery employee who has successfully

28 completed a course the board has certified. A list of the individuals

29 receiving the class 12 permit shall be forwarded to the board on the

30 completion of each course given by the training entity.

31 (4) After January 1, 1997, the board shall require all alcohol

32 servers applying for a class 13 alcohol server permit to view a video

33 training session. Retail liquor licensees shall fully compensate

34 employees for the time spent participating in this training session.

35 (5) When requested by a retail liquor licensee, the board shall

36 provide copies of videotaped training programs that have been

37 produced by private vendors and make them available for a nominal fee

38 to cover the cost of purchasing and shipment, with the fees being

39 deposited in the liquor revolving fund for distribution to the board

40 as needed.

1 (6) Each training entity may provide the board with a video  
2 program of not less than one hour that covers the subjects in  
3 subsection (1)(d)(i) through (v) of this section that will be made  
4 available to a licensee for the training of a class 13 alcohol  
5 server.

6 (7) Applicants shall be given a class 13 permit upon the  
7 successful completion of the program.

8 (8) A list of the individuals receiving the class 13 permit shall  
9 be forwarded to the board on the completion of each video training  
10 program.

11 (9) The board shall develop a model permit for the class 12 and  
12 13 permits. The board may provide such permits to training entities  
13 or licensees for a nominal cost to cover production.

14 (10)(a) Persons who have completed a nationally recognized  
15 alcohol management or intervention program since July 1, 1993, may be  
16 issued a class 12 or 13 permit upon providing proof of completion of  
17 such training to the board.

18 (b) Persons who completed the board's alcohol server training  
19 program after July 1, 1993, but before July 1, 1995, may be issued a  
20 class 13 permit upon providing proof of completion of such training  
21 to the board.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 66.24  
23 RCW to read as follows:

24 (1) The board must create an alcohol delivery endorsement to the  
25 beer and wine restaurant license; spirits, beer, and wine restaurant  
26 license; tavern license; domestic winery license; domestic brewery  
27 license; microbrewery license; distillery license; and craft  
28 distillery license. Delivery services conducted by beer and wine  
29 restaurant licensees and spirits, beer, and wine restaurant licensees  
30 must be accompanied by a purchased meal prepared and sold by the  
31 license holder.

32 (2) Alcohol delivery may be performed by employees of an alcohol  
33 delivery endorsement holder if the employees:

34 (a) Are at least 21 years of age or older; and

35 (b) Possess a class 12 permit, in accordance with RCW 66.20.310.

36 (3) The cost of an alcohol delivery endorsement is \$50.

37 **Sec. 6.** RCW 66.08.180 and 2019 c 325 s 5018 are each amended to  
38 read as follows:

1 Except as provided in RCW 66.24.290(1), moneys in the liquor  
2 revolving fund shall be distributed by the board at least once every  
3 three months in accordance with RCW 66.08.190, 66.08.200 and  
4 66.08.210. However, the board shall reserve from distribution such  
5 amount not exceeding (~~five hundred thousand dollars~~) \$500,000 as  
6 may be necessary for the proper administration of this title.

7 (1) All license fees, penalties, and forfeitures derived under  
8 chapter 13, Laws of 1935 from spirits, beer, and wine restaurant;  
9 spirits, beer, and wine private club; hotel; spirits, beer, and wine  
10 nightclub; spirits, beer, and wine VIP airport lounge; and sports  
11 entertainment facility licenses shall every three months be disbursed  
12 by the board as follows:

13 (a) (~~Three hundred thousand dollars~~) \$300,000 per biennium, to  
14 the death investigations account for the state toxicology program  
15 pursuant to RCW 68.50.107; and

16 (b) Of the remaining funds:

17 (i) 6.06 percent to the University of Washington and 4.04 percent  
18 to Washington State University for alcoholism and drug abuse research  
19 and for the dissemination of such research; and

20 (ii) 89.9 percent to the general fund to be used by the health  
21 care authority solely to carry out the purposes of RCW 71.24.535;

22 (2) The first (~~fifty-five dollars~~) \$55 per license fee provided  
23 in RCW 66.24.320 and 66.24.330 up to a maximum of (~~one hundred fifty~~  
24 ~~thousand dollars~~) \$150,000 annually shall be disbursed every three  
25 months by the board to the general fund to be used for juvenile  
26 alcohol and drug prevention programs for kindergarten through third  
27 grade to be administered by the superintendent of public instruction;

28 (3) Twenty percent of the remaining total amount derived from  
29 license fees pursuant to RCW 66.24.320, 66.24.330, 66.24.350, and  
30 66.24.360, shall be transferred to the general fund to be used by the  
31 health care authority solely to carry out the purposes of RCW  
32 71.24.535; (~~and~~)

33 (4) One-fourth cent per liter of the tax imposed by RCW 66.24.210  
34 shall every three months be disbursed by the board to Washington  
35 State University solely for wine and wine grape research, extension  
36 programs related to wine and wine grape research, and resident  
37 instruction in both wine grape production and the processing aspects  
38 of the wine industry in accordance with RCW 28B.30.068. The director  
39 of financial management shall prescribe suitable accounting  
40 procedures to ensure that the funds transferred to the general fund

1 to be used by the department of social and health services and  
2 appropriated are separately accounted for; and

3 (5) All additional fees collected under RCW 66.20.310 (2)(f) must  
4 be transferred to the general fund for use by the health care  
5 authority or the department of health for substance abuse prevention,  
6 education, and treatment services.

7 **Sec. 7.** RCW 66.24.660 and 2013 c 89 s 1 are each amended to read  
8 as follows:

9 Retailers may sell liquor as defined in RCW 66.04.010(~~(+25)~~)  
10 through self-checkout registers if that register is programmed to  
11 halt that transaction during the purchase of liquor until an employee  
12 of the retailer intervenes and verifies the age of the purchaser by  
13 reviewing established forms of acceptable identification. Once age is  
14 successfully verified, the employee can release the transaction for  
15 payment. If the purchaser cannot provide acceptable forms of  
16 identification to verify age, the employee must refuse the purchase  
17 and void the transaction.

18 NEW SECTION. **Sec. 8.** Section 1 of this act is codified as a new  
19 section in chapter 66.24 RCW.

20 NEW SECTION. **Sec. 9.** This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of  
22 the state government and its existing public institutions, and takes  
23 effect immediately.

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