

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5448**

68th Legislature  
2023 Regular Session

Passed by the Senate April 18, 2023  
Yeas 40 Nays 8

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**President of the Senate**

Passed by the House April 10, 2023  
Yeas 80 Nays 18

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**Speaker of the House of  
Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5448** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5448**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2023 Regular Session

**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 and 66.24.660; amending 2021 c 48 s 2  
3 (uncodified); reenacting and amending RCW 66.04.010 and 66.20.310;  
4 adding a new section to chapter 66.24 RCW; creating a new section;  
5 providing an effective date; and declaring an 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~~) (a) Except as provided in (b) of this subsection, the  
18 following licensees may sell alcohol products at retail for  
19 ~~((curbside and))~~ takeout ~~((service))~~ or delivery or both under liquor  
20 and cannabis board licenses and endorsements: Beer and wine  
21 restaurants; spirits, beer, and wine restaurants; taverns; domestic

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

3 (b) No alcohol products may be sold by delivery under this  
4 section after July 1, 2025.

5 ~~((3))~~ (2) Spirits, beer, and wine restaurant licensees may sell  
6 premixed cocktails ~~((and cocktail kits))~~ for takeout ~~((or curbside~~  
7 ~~service))~~ and, until July 1, 2025, for delivery. The board may  
8 establish by rule the manner in which premixed cocktails for off-  
9 premises consumption must be provided. This subsection does not  
10 authorize the sale of ~~((full))~~ bottles of spirits by licensees for  
11 off-premises consumption ~~((, with the exception of mini-bottles as~~  
12 ~~part of cocktail kits. Mini-bottle sales authorized under this~~  
13 ~~subsection as part of cocktail kits are exempt from the spirits~~  
14 ~~license issuance fee under RCW 66.24.630(4)(a) and the tax on each~~  
15 ~~retail sale of spirits under RCW 82.08.150)).~~

16 ~~((4))~~ (3) Spirits, beer, and wine restaurant licensees may sell  
17 wine by the glass or premixed wine and spirits cocktails for takeout  
18 ~~((or curbside service))~~ and ~~((for)),~~ until July 1, 2025, delivery.  
19 Beer and wine restaurant licensees may sell wine or premixed wine  
20 drinks by the glass for takeout ~~((or curbside service))~~ and ~~((for)),~~  
21 until July 1, 2025, delivery. The board may establish by rule the  
22 manner in which wine by the glass and premixed cocktails for off-  
23 premises consumption must be provided.

24 ~~((5))~~ (4) Licensees that were authorized by statute or rule  
25 before January 1, 2020, to sell growlers for on-premises consumption  
26 may sell growlers for off-premises consumption through ~~((curbside,))~~  
27 takeout ~~((,))~~ or, until July 1, 2025, delivery ~~((service)).~~ Sale of  
28 growlers under this subsection must meet federal alcohol and tobacco  
29 tax and trade bureau requirements.

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

37 (b)(i) Alcohol delivery under this section must be performed by  
38 an employee of an alcohol delivery endorsement holder who is 21 years  
39 of age or older and possesses a class 12 permit, in accordance with  
40 RCW 66.20.310.

1 (ii) Delivery services conducted by beer and wine restaurant  
2 licensees and spirits, beer, and wine restaurant licensees under this  
3 section must be accompanied by a purchased meal prepared and sold by  
4 the license holder.

5 (c) Alcohol sold for takeout by beer and wine restaurant  
6 licensees and spirits, beer, and wine restaurant licensees under this  
7 section must be accompanied by a purchased meal prepared and sold by  
8 the license holder.

9 (d) Any alcohol product sold for takeout or delivery under this  
10 section must be in a factory sealed container or a tamper-resistant  
11 container.

12 ~~((7))~~ (6) Beer and wine specialty shops licensed under RCW  
13 66.24.371 and domestic breweries and microbreweries may sell  
14 prefilled growlers for off-premises consumption through takeout ~~((  
15 ~~curbside service~~))~~ and, until July 1, 2025, delivery, provided that  
16 prefilled growlers are sold the same day they are prepared for sale  
17 and not stored overnight for sale on future days.

18 ~~((8))~~ (7) The board must adopt or revise current rules to allow  
19 for outdoor service of alcohol by on-premises licensees holding  
20 licenses issued by the board for the following license types: Beer  
21 and wine restaurants; spirits, beer, and wine restaurants; taverns;  
22 domestic wineries; domestic breweries and microbreweries;  
23 distilleries; snack bars; and private clubs licensed under RCW  
24 66.24.450 and 66.24.452. The board may adopt requirements providing  
25 for clear accountability at locations where multiple licensees use a  
26 shared space for serving customers.

27 ~~((9))~~ (8) Upon delivery of any alcohol product authorized to be  
28 delivered under this section, the signature of the person age 21 or  
29 over receiving the delivery must be obtained.

30 ~~((10))~~ (9) The definitions in this subsection apply throughout  
31 this section unless the context clearly requires otherwise.

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

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

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

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

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

3       In this title, unless the context otherwise requires:

4       (1) "Alcohol" is that substance known as ethyl alcohol, hydrated  
5 oxide of ethyl, or spirit of wine, which is commonly produced by the  
6 fermentation or distillation of grain, starch, molasses, or sugar, or  
7 other substances including all dilutions and mixtures of this  
8 substance. The term "alcohol" does not include alcohol in the  
9 possession of a manufacturer or distiller of alcohol fuel, as  
10 described in RCW 66.12.130, which is intended to be denatured and  
11 used as a fuel for use in motor vehicles, farm implements, and  
12 machines or implements of husbandry.

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

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

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

18       (c) Acquires ownership of beer or wine for transportation into  
19 and resale in the state of Washington; and which beer or wine is  
20 produced by a brewery or winery in the United States outside of the  
21 state of Washington; and

22       (d) Is appointed by the brewery or winery referenced in (c) of  
23 this subsection as its authorized representative for marketing and  
24 selling its products within the United States in accordance with a  
25 written agreement between the authorized representative and such  
26 brewery or winery pursuant to this title.

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

29       (4) "Beer distributor" means a person who buys beer from a  
30 domestic brewery, microbrewery, beer certificate of approval holder,  
31 or beer importers, or who acquires foreign produced beer from a  
32 source outside of the United States, for the purpose of selling the  
33 same pursuant to this title, or who represents such brewer or brewery  
34 as agent.

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

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

1 (7) "Brewer" or "brewery" means any person engaged in the  
2 business of manufacturing beer and malt liquor. Brewer includes a  
3 brand owner of malt beverages who holds a brewer's notice with the  
4 federal bureau of alcohol, tobacco, and firearms at a location  
5 outside the state and whose malt beverage is contract-produced by a  
6 licensed in-state brewery, and who may exercise within the state,  
7 under a domestic brewery license, only the privileges of storing,  
8 selling to licensed beer distributors, and exporting beer from the  
9 state.

10 (8) "Club" means an organization of persons, incorporated or  
11 unincorporated, operated solely for fraternal, benevolent,  
12 educational, athletic, or social purposes, and not for pecuniary  
13 gain.

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

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

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

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

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

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

32 ~~((14))~~ (15) "Distiller" means a person engaged in the business  
33 of distilling spirits.

34 ~~((15))~~ (16) "Domestic brewery" means a place where beer and  
35 malt liquor are manufactured or produced by a brewer within the  
36 state.

37 ~~((16))~~ (17) "Domestic winery" means a place where wines are  
38 manufactured or produced within the state of Washington.

39 ~~((17))~~ (18) "Drug store" means a place whose principal business  
40 is, the sale of drugs, medicines, and pharmaceutical preparations and

1 maintains a regular prescription department and employs a registered  
2 pharmacist during all hours the drug store is open.

3 ~~((18))~~ (19) "Druggist" means any person who holds a valid  
4 certificate and is a registered pharmacist and is duly and regularly  
5 engaged in carrying on the business of pharmaceutical chemistry  
6 pursuant to chapter 18.64 RCW.

7 ~~((19))~~ (20) "Employee" means any person employed by the board.

8 ~~((20))~~ (21) "Flavored malt beverage" means:

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

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

17 ~~((21))~~ (22) "Fund" means 'liquor revolving fund.'

18 ~~((22))~~ (23) "Hotel" means buildings, structures, and grounds,  
19 having facilities for preparing, cooking, and serving food, that are  
20 kept, used, maintained, advertised, or held out to the public to be a  
21 place where food is served and sleeping accommodations are offered  
22 for pay to transient guests, in which twenty or more rooms are used  
23 for the sleeping accommodation of such transient guests. The  
24 buildings, structures, and grounds must be located on adjacent  
25 property either owned or leased by the same person or persons.

26 ~~((23))~~ (24) "Importer" means a person who buys distilled  
27 spirits from a distillery outside the state of Washington and imports  
28 such spirituous liquor into the state for sale to the board or for  
29 export.

30 ~~((24))~~ (25) "Imprisonment" means confinement in the county  
31 jail.

32 ~~((25))~~ (26) "Liquor" includes the four varieties of liquor  
33 herein defined (alcohol, spirits, wine, and beer), and all fermented,  
34 spirituous, vinous, or malt liquor, or combinations thereof, and  
35 mixed liquor, a part of which is fermented, spirituous, vinous or  
36 malt liquor, or otherwise intoxicating; and every liquid or solid or  
37 semisolid or other substance, patented or not, containing alcohol,  
38 spirits, wine, or beer, and all drinks or drinkable liquids and all  
39 preparations or mixtures capable of human consumption, and any  
40 liquid, semisolid, solid, or other substance, which contains more

1 than one percent of alcohol by weight shall be conclusively deemed to  
2 be intoxicating. Liquor does not include confections or food products  
3 that contain one percent or less of alcohol by weight.

4 ~~((26))~~ (27) "Malt beverage" or "malt liquor" means any beverage  
5 such as beer, ale, lager beer, stout, and porter obtained by the  
6 alcoholic fermentation of an infusion or decoction of pure hops, or  
7 pure extract of hops and pure barley malt or other wholesome grain or  
8 cereal in pure water containing not more than eight percent of  
9 alcohol by weight, and not less than one-half of one percent of  
10 alcohol by volume. For the purposes of this title, any such beverage  
11 containing more than eight percent of alcohol by weight shall be  
12 referred to as "strong beer."

13 ~~((27))~~ (28) "Manufacturer" means a person engaged in the  
14 preparation of liquor for sale, in any form whatsoever.

15 ~~((28))~~ (29) "Nightclub" means an establishment that provides  
16 entertainment and has as its primary source of revenue (a) the sale  
17 of alcohol for consumption on the premises, (b) cover charges, or (c)  
18 both.

19 ~~((29))~~ (30) "Package" means any container or receptacle used  
20 for holding liquor.

21 ~~((30))~~ (31) "Passenger vessel" means any boat, ship, vessel,  
22 barge, or other floating craft of any kind carrying passengers for  
23 compensation.

24 ~~((31))~~ (32) "Permit" means a permit for the purchase of liquor  
25 under this title.

26 ~~((32))~~ (33) "Person" means an individual, copartnership,  
27 association, or corporation.

28 ~~((33))~~ (34) "Physician" means a medical practitioner duly and  
29 regularly licensed and engaged in the practice of his or her  
30 profession within the state pursuant to chapter 18.71 RCW.

31 ~~((34))~~ (35) "Powdered alcohol" means any powder or crystalline  
32 substance containing alcohol that is produced for direct use or  
33 reconstitution.

34 ~~((35))~~ (36) "Prescription" means a memorandum signed by a  
35 physician and given by him or her to a patient for the obtaining of  
36 liquor pursuant to this title for medicinal purposes.

37 ~~((36))~~ (37) "Public place" includes streets and alleys of  
38 incorporated cities and towns; state or county or township highways  
39 or roads; buildings and grounds used for school purposes; public  
40 dance halls and grounds adjacent thereto; those parts of



1 establishments where beer may be sold under this title, soft drink  
2 establishments, public buildings, public meeting halls, lobbies,  
3 halls and dining rooms of hotels, restaurants, theaters, stores,  
4 garages and filling stations which are open to and are generally used  
5 by the public and to which the public is permitted to have  
6 unrestricted access; railroad trains, stages, and other public  
7 conveyances of all kinds and character, and the depots and waiting  
8 rooms used in conjunction therewith which are open to unrestricted  
9 use and access by the public; publicly owned bathing beaches, parks,  
10 and/or playgrounds; and all other places of like or similar nature to  
11 which the general public has unrestricted right of access, and which  
12 are generally used by the public.

13 ~~((37))~~ (38) "Regulations" means regulations made by the board  
14 under the powers conferred by this title.

15 ~~((38))~~ (39) "Restaurant" means any establishment provided with  
16 special space and accommodations where, in consideration of payment,  
17 food, without lodgings, is habitually furnished to the public, not  
18 including drug stores and soda fountains.

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

32 ~~((40))~~ (41) "Service bar" means a fixed or portable table,  
33 counter, cart, or similar workstation primarily used to prepare, mix,  
34 serve, and sell alcohol that is picked up by employees or customers.  
35 Customers may not be seated or allowed to consume food or alcohol at  
36 a service bar.

37 ~~((41))~~ (42) "Soda fountain" means a place especially equipped  
38 with apparatus for the purpose of dispensing soft drinks, whether  
39 mixed or otherwise.

1        ~~((42))~~ (43) "Soju" means a traditional Korean distilled  
2 alcoholic beverage, produced using authentic Korean recipes and  
3 production methods, and derived from agricultural products, that  
4 contains not more than twenty-four percent of alcohol by volume.

5        ~~((43))~~ (44) "Spirits" means any beverage which contains alcohol  
6 obtained by distillation, except flavored malt beverages, but  
7 including wines exceeding twenty-four percent of alcohol by volume.

8        ~~((44))~~ (45) "Store" means a state liquor store established  
9 under this title.

10       ~~((45))~~ (46) "Tavern" means any establishment with special space  
11 and accommodation for sale by the glass and for consumption on the  
12 premises, of beer, as herein defined.

13       ~~((46))~~ (47) "VIP airport lounge" means an establishment within  
14 an international airport located beyond security checkpoints that  
15 provides a special space to sit, relax, read, work, and enjoy  
16 beverages where access is controlled by the VIP airport lounge  
17 operator and is generally limited to the following classifications of  
18 persons:

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

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

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

29        (d) Airport and airline employees, government officials, foreign  
30 dignitaries, and other attendees of functions held by the airport  
31 authority or airlines related to the promotion of business objectives  
32 such as increasing international air traffic and enhancing foreign  
33 trade where access to the VIP airport lounge will be controlled by  
34 the VIP airport lounge operator; and

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

38       ~~((47))~~ (48) "VIP airport lounge operator" means an airline,  
39 port district, or other entity operating a VIP airport lounge that:  
40 Is accountable for compliance with the alcohol beverage control act

1 under this title; holds the license under chapter 66.24 RCW issued to  
2 the VIP airport lounge; and provides a point of contact for  
3 addressing any licensing and enforcement by the board.

4 ~~((48))~~ (49) (a) "Wine" means any alcoholic beverage obtained by  
5 fermentation of fruits (grapes, berries, apples, et cetera) or other  
6 agricultural product containing sugar, to which any saccharine  
7 substances may have been added before, during or after fermentation,  
8 and containing not more than twenty-four percent of alcohol by  
9 volume, including sweet wines fortified with wine spirits, such as  
10 port, sherry, muscatel, and angelica, not exceeding twenty-four  
11 percent of alcohol by volume and not less than one-half of one  
12 percent of alcohol by volume. For purposes of this title, any  
13 beverage containing no more than fourteen percent of alcohol by  
14 volume when bottled or packaged by the manufacturer shall be referred  
15 to as "table wine," and any beverage containing alcohol in an amount  
16 more than fourteen percent by volume when bottled or packaged by the  
17 manufacturer shall be referred to as "fortified wine." However,  
18 "fortified wine" shall not include: (i) Wines that are both sealed or  
19 capped by cork closure and aged two years or more; and (ii) wines  
20 that contain more than fourteen percent alcohol by volume solely as a  
21 result of the natural fermentation process and that have not been  
22 produced with the addition of wine spirits, brandy, or alcohol.

23 (b) This subsection shall not be interpreted to require that any  
24 wine be labeled with the designation "table wine" or "fortified  
25 wine."

26 ~~((49))~~ (50) "Wine distributor" means a person who buys wine  
27 from a domestic winery, wine certificate of approval holder, or wine  
28 importer, or who acquires foreign produced wine from a source outside  
29 of the United States, for the purpose of selling the same not in  
30 violation of this title, or who represents such vintner or winery as  
31 agent.

32 ~~((50))~~ (51) "Wine importer" means a person or business within  
33 Washington who purchases wine from a wine certificate of approval  
34 holder or who acquires foreign produced wine from a source outside of  
35 the United States for the purpose of selling the same pursuant to  
36 this title.

37 ~~((51))~~ (52) "Winery" means a business conducted by any person  
38 for the manufacture of wine for sale, other than a domestic winery.

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

3       (1)(a) There is an alcohol server permit, known as a class 12  
4 permit, for ((a)):

5       (i) A manager ((or bartender));

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

8       (iii) An employee conducting alcohol deliveries for a licensee  
9 that delivers alcohol under section 1 of this act (as codified under  
10 section 7 of this act).

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

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

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

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

27       (c) Except as provided in (d) of this subsection, no licensee  
28 holding a license as authorized by this section and RCW 66.20.300,  
29 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, 66.24.690,  
30 66.24.450, 66.24.570, 66.24.600, 66.24.610, 66.24.650, 66.24.655, and  
31 66.24.680 may employ or accept the services of any person without the  
32 person first having a valid class 12 or class 13 permit.

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

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

39       (f) Every person whose duties include the delivery of alcohol  
40 authorized under section 1 of this act (as codified under section 7

1 of this act) must have a class 12 permit before engaging in alcohol  
2 delivery. A delivery employee whose duties include the delivery of  
3 alcohol authorized under section 1 of this act (as codified under  
4 section 7 of this act) must complete an approved class 12 permit  
5 course that includes a curriculum component that covers best  
6 practices for delivery of alcohol.

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

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

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

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

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

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

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

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

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

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

5       (a) Development of the curriculum and materials for the education  
6 program;

7       (b) Examination and examination procedures;

8       (c) Certification procedures, enforcement policies, and penalties  
9 for education program instructors and providers; and

10       (d) The curriculum for an approved class 12 alcohol permit  
11 training program that includes but is not limited to the following  
12 subjects:

13       (i) The physiological effects of alcohol including the effects of  
14 alcohol in combination with drugs;

15       (ii) Liability and legal information;

16       (iii) Driving while intoxicated;

17       (iv) Intervention with the problem customer, including ways to  
18 stop service, ways to deal with the belligerent customer, and  
19 alternative means of transportation to get the customer safely home;

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

21       (vi) Nationally recognized programs, such as TAM (Techniques in  
22 Alcohol Management) and TIPS (Training for Intervention Programs)  
23 modified to include Washington laws and (~~regulations~~) rules; and

24       (vii) Best practices for delivery of alcohol for a course  
25 approved for a person whose duties include the delivery of alcohol  
26 authorized under section 1 of this act (as codified under section 7  
27 of this act).

28       (2) The board shall provide the program through liquor licensee  
29 associations, independent contractors, private persons, private or  
30 public schools certified by the board, or any combination of such  
31 providers.

32       (3) Each training entity shall provide a class 12 permit to the  
33 manager (~~or~~), bartender, or delivery employee who has successfully  
34 completed a course the board has certified. A list of the individuals  
35 receiving the class 12 permit shall be forwarded to the board on the  
36 completion of each course given by the training entity.

37       (4) After January 1, 1997, the board shall require all alcohol  
38 servers applying for a class 13 alcohol server permit to view a video  
39 training session. Retail liquor licensees shall fully compensate  
40 employees for the time spent participating in this training session.

1 (5) When requested by a retail liquor licensee, the board shall  
2 provide copies of videotaped training programs that have been  
3 produced by private vendors and make them available for a nominal fee  
4 to cover the cost of purchasing and shipment, with the fees being  
5 deposited in the liquor revolving fund for distribution to the board  
6 as needed.

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

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

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

17 (9) The board shall develop a model permit for the class 12 and  
18 13 permits. The board may provide such permits to training entities  
19 or licensees for a nominal cost to cover production.

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

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

28 **Sec. 5.** RCW 66.24.660 and 2013 c 89 s 1 are each amended to read  
29 as follows:

30 Retailers may sell liquor as defined in RCW 66.04.010(~~(+25)~~)  
31 through self-checkout registers if that register is programmed to  
32 halt that transaction during the purchase of liquor until an employee  
33 of the retailer intervenes and verifies the age of the purchaser by  
34 reviewing established forms of acceptable identification. Once age is  
35 successfully verified, the employee can release the transaction for  
36 payment. If the purchaser cannot provide acceptable forms of  
37 identification to verify age, the employee must refuse the purchase  
38 and void the transaction.

1        NEW SECTION.    **Sec. 6.**    By November 1, 2023, the liquor and  
2 cannabis board shall submit recommendations to the governor and  
3 appropriate committees of the legislature for a comprehensive alcohol  
4 delivery policy. The recommendations in the report must include a  
5 consistent, equitable structure for alcohol delivery licenses,  
6 endorsements, permits, and fees, and a comprehensive plan to help  
7 ensure all deliveries of alcohol are made only to persons who are 21  
8 years of age or older.

9        NEW SECTION.    **Sec. 7.**    Section 1 of this act is codified as a new  
10 section in chapter 66.24 RCW.

11        NEW SECTION.    **Sec. 8.**    This act is necessary for the immediate  
12 preservation of the public peace, health, or safety, or support of  
13 the state government and its existing public institutions, and takes  
14 effect July 1, 2023.

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