



Bill Title: Omnibus Bill
Bill Number: SSB 5788
Effective Date: July 22, 2011
Repeals: RCW 66.28.010
Amends: RCW 66.28.310, 66.28.290, 66.20.010,
66.24.310, 66.24.400, 66.24.590, 66.24.450

Background:

This legislation is the result of a group of industry stakeholders working together to make a number of changes in retail and non-retail liquor licenses.

Summary:

This bill has several components discussed below. The following statutes are amended:

RCW 66.28.310 (three-tier) is amended:

1. Special occasion licensees:

- Are allowed to pay for beer and wine immediately following the end of the special occasion event
- Wineries or breweries that are participating in a special occasion event may pay reasonable booth fees to the special occasion licensee.

2. Team Trademark Advertising - Special sports teams who hold a retail liquor license or their agents may accept liquor advertising from manufacturers, importers, distributors, or their agents for use in the sporting arena. The professional sports team or their agent may also license the manufacturer, importer, distributor, or their agent to use the name and trademarks of the professional sports team in their advertising and promotions. The advertising or promotion must meet the following requirements:

- The advertising must be paid for by the manufacturer, importer, distributor, or their agency at the published advertising rate or at a reasonable fair market value; and
- Such advertising may carry no express or implied offer on the part of the manufacturer, importer, distributor, or their agent, or promise on the part of the retail licensee whose operation is directly or indirectly part of the sporting arena, to stock or list any particular brand of liquor to the total or partial exclusion of any other brand.

RCW 66.28.290 Financial Interest /Ownership:

- Amended to add hotels and nightclubs to the list of retail liquor licensees that may have a financial interest or ownership in a non-retail liquor license under certain conditions
- Adds the distiller's liquor license to the list of non-retail liquor licensees that may have a financial interest or ownership in a retail liquor license under certain conditions

RCW 66.24.240 Domestic Brewery License:

- Amended to correct the reference to the malt beverage definition

RCW 66.20.010 Permits:

- Amended to allow a vendor that manufactures or sells a product that cannot be effectively presented to potential buyers without serving it with liquor to obtain a class 8 permit which will allow them to serve liquor without charge to delegates and guests at a convention of a trade association composed of licensees of the Board

RCW 66.24.310 Agent's License:

- Amended to exempt domestic wineries or their employees from the requirement to hold a representative's license if they canvas for, solicit, receive or take orders for the purchase or sale of wine, or contact any licensees of the board in goodwill activities

RCW 66.24.400 S/B/W Restaurant License:

- Amended to allow a S/B/W restaurant liquor licensee that holds a Kegs-To-Go endorsement to sell “growlers” to their customers

Approval Process:

If a spirits, beer and wine restaurant (S/B/W) liquor licensee already holds a “Kegs To Go” endorsement, no action is required. The sale of “growlers” is allowed under this endorsement. If a licensee doesn’t hold the “Kegs To Go” endorsement and they want to sell “growlers” they must:

- Complete and submit an Application for Added Endorsement (LIQ 756), to the Liquor Control Board, Licensing Division. The fee must be included with the application.
- Licensing Division staff will send out a local authority notice and public posting notice. The local authority has 20 days to respond and the public posting notice is posted for 14 days.
- After the 20 days have passed for local authority comment, no local objections have been submitted, and the 14-day posting period has passed, the endorsement will be approved.
- Licensing Division staff will send a letter to the licensee approving the “Kegs To Go” endorsement. The licensee should receive a new Master License from Master License Service within 14 days.

RCW 66.24.590 Hotel License:

- Amended to allow a licensed hotel to sell “growlers” to their customers from the tap in the restaurant area of the hotel

Approval Process:

No approval is required for a licensed hotel to sell “growlers” from the tap in the restaurant area of the Hotel. This activity is part of the Hotel liquor license.

RCW 66.24.450 S/B/W Private Club license:

- Amended to remove the cap of 40 on the non-club, member-sponsored event endorsement

Technical changes needed due to legislation that passed in the 2009 legislative session - The following RCW's are amended to remove the references to RCW 66.28.010:

- **RCW 66.24.360** (Grocery Store)
- **RCW 66.24.371** (B/W Specialty Shop)
- **RCW 66.24.570** (Sports/Entertainment Facility)
- **RCW 66.24.580** (Public House)
- **RCW 66.28.040** (Giving away of liquor)
- **RCW 66.28.042** (Providing food and beverages for business meetings)
- **RCW 66.28.155** (Industry members allowed to conduct educational activities on the licensed premises of a retailer)
- **RCW 66.28.190** (Sales of non-liquor food and food ingredients)

Contact Information:

For specific questions, please contact the Agency Rules Coordinator, Karen McCall, at kjm@liq.wa.gov or 360-664-1631.