



Washington State Liquor and Cannabis Board

Bill Description: Temporarily Extending Certain Privileges Granted to Liquor Licensees to Mitigate the Impact of the Coronavirus Pandemic and Studying the Impacts of the Privileges Granted

Bill Number: E2SHB 1480

Sponsor: Representative Drew MacEwen

Effective Date: April 14, 2021

Amends: RCW 66.24.630 and RCW 82.08.150

Background

In March of 2020, as the COVID-19 pandemic began to spread rapidly in Washington, the state announced restrictions that impacted the operations of many LCB licensees particularly on-premises licensees. Some licensees were required to close entirely and others had significant limitations to sales and customer service. The LCB worked to find temporary ways for businesses to expand their operations using methods that would not put the customer or employee's health at risk. Some of the temporary operations were inconsistent with existing regulation or statute, but the governor was willing to allow the new activity to assist LCB-licensed businesses.

The temporary allowances have remained important for businesses and at the request of the governor's office, the LCB developed this agency-request legislation to provide statutory authorization extending certain temporary activities.

Bill Summary

The new law allows specifically listed privileges for specific types of liquor licenses to continue until June 30, 2023.

The allowances authorized by the bill include:

- Spirits, Beer and Wine restaurants may sell "to-go" cocktails (premixed, or as a kit with ingredients for the customer to assemble at home) for takeout, curbside service, or delivery;
- Restaurants, taverns, domestic breweries and microbreweries, domestic wineries, distilleries, snack bars, nonprofit arts licensees and caterers may sell alcohol products for takeout, curbside service, or delivery;
- Licensees previously allowed to sell growlers for on-premise consumption may sell them for off-premise consumption through takeout, curbside service or delivery;
- Beer and Wine specialty shops may sell pre-filled growlers for off-premise consumption through takeout, curbside, or delivery service if they fill the containers the same day they are sold;

- LCB is directed to revise rules to allow outdoor service by on-premise licensees including: restaurants, taverns, breweries, wineries, distilleries, snack bars and private clubs; and
- LCB is directed to consider revising rules to provide more flexible and financially feasible food service requirements for licensees that currently have food service requirements.

The law requires LCB to hire an independent entity to do a study on the impacts of the temporarily authorized activities. The study must examine the positive economic impacts for businesses, employees and communities, as well any negative impacts from the standpoint of health and safety of youth, communities, people in substance misuse recovery, and others. The study will be done in 2022, and a report must be submitted to the Legislature by December 1, 2022, at an estimated cost of \$150,000. This timeline gives the Legislature time during the 2023 session to consider if they will extend the privileges, or allow them to expire as scheduled on June 30, 2023.

Two privileges granted by LCB during the pandemic must expire at the end of the governor's COVID-19 emergency proclamation. The privileges that must end are:

- The LCB suspended requirements for wineries and breweries conducting tastings at farmers' markets to provide food or be located next to a vendor which has prepared food.
- Licensees conducting deliveries of alcohol were given the option to photograph or scan customer identification instead of collecting a physical signature to document the age of the customer.

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