



Washington State
Liquor and Cannabis Board

Date: May 24, 2023

To: David Postman, Board Chair
 Ollie Garrett, Board Member
 Jim Vollendroff, Board Member

From: Daniel Jacobs, Policy and Rules Coordinator

Copy: Rick Garza, Agency Director
 Toni Hood, Agency Deputy Director
 Chandra Wax, Director of Enforcement and Education
 Becky Smith, Licensing Director
 Justin Nordhorn, Policy and External Affairs Director
 Dr. Kathy Hoffman, Research Manager

Subject: **Approval to file a pre-proposal statement of inquiry (CR 101) regarding implementation of 2023 legislation relating to liquor licensees.**

The Washington State Liquor and Cannabis Board is considering repealing, amending, and creating rule sections in Title 314 WAC as necessary to implement three (3) pieces of legislation passed during the 2023 legislative session: House Bill (HB) 1730 ([chapter 158, Laws of 2023](#)), Engrossed Substitute House Bill (ESHB) 1731 ([chapter 257, Laws of 2023](#)), and House Bill (HB) 1772 ([chapter 217, Laws of 2023](#)).

Process

The Policy and Rules Coordinator requests approval to file the pre-proposal statement of inquiry (CR 101) for the rule making described above. A CR 101 Memorandum was presented at the Board meeting on May 24, 2023 and is attached to this order.

If approved for filing, the **tentative timeline** for the rule making process is outlined below:

May 24, 2023	Board is asked to approve filing pre-proposal statement of inquiry (CR 101). CR 101 is filed with the Office of the Code Reviser. Webpage is updated and notice circulated by GovDelivery distribution list. Informal comment period begins.
June 7, 2023	Notice is published in the Washington State Register under WSR 23-11.
June 26, 2023	Informal comment period ends.

August 2, 2023	Board is asked to approve filing proposed rules (CR 102). CR 102 is filed with the Office of the Code Reviser. Webpage is updated and notice circulated by the rules distribution list. Formal comment period begins.
August 16, 2023	Notice is published in the Washington State Register under WSR 23-16.
September 27, 2023	Public hearing is held and formal comment period ends.
October 11, 2023	Board is asked to adopt rules if no substantive changes are made (CR 103). Concise Explanatory Statement is provided to individuals offering written or oral comment at the public hearing or during the formal comment period, consistent with RCW 34.05.325. CR 103 and adopted rules are filed with the Office of the Code Reviser. Webpage is updated and notice circulated by GovDelivery distribution list.
November 11, 2023	Rules are effective 31 days after filing unless otherwise specified. See RCW 34.05.380(2).

_____ Approve	_____ Disapprove	_____	_____
		David Postman, Chair	Date
_____ Approve	_____ Disapprove	_____	_____
		Ollie Garrett, Board Member	Date
_____ Approve	_____ Disapprove	_____	_____
		Jim Vollendroff, Board Member	Date

Attachments: CR 101 Memorandum.
 HB 1730 (chapter 158, Laws of 2023).
 ESHB 1731 (chapter 257, Laws of 2023).
 HB 1772 (chapter 217, Laws of 2023).



CR 101 Memorandum

Regarding Implementation of 2023 Liquor Legislation.

Date: May 24, 2023
Presented by: Daniel Jacobs, Policy and Rules Coordinator

Background

The Washington State Legislature passed three (3) pieces of legislation during the 2023 legislative session: House Bill (HB) 1730 ([chapter 158, Laws of 2023](#)), Engrossed Substitute House Bill (ESHB) 1731 ([chapter 257, Laws of 2023](#)) and HB 1772 ([chapter 217, Laws of 2023](#)).

Reasons Why Rulemaking Is Needed

Rules may be needed to implement HB 1730 (chapter 158, Laws of 2023), ESHB 1731 (chapter 257, Laws of 2023), and HB 1772 (chapter 217, Laws of 2023), passed during the 2023 legislative session.

HB 1730 ([chapter 158, Laws of 2023](#)) amends state law to allow individuals over 18 years of age but under 21 years of age to work in establishments that are traditionally classified as off-limits to persons under 21 years of age under certain specific and limited circumstances. There are certain existing rules relating to premises that are off limits to persons under 21 years of age, as well as rules relating to how certain licensees can prohibit persons under 21 years of age from entering the premises. These rules will need to be amended to reflect the new state law. New rules may need to be created to implement this legislation.

ESHB 1731 ([chapter 257, Laws of 2023](#)) amends state law to allow owners of short-term rentals to obtain a permit to provide a complimentary bottle of wine to those who rent the unit, so long as the owner of the short-term rental complies with age-verification requirements, provides the prospective renter with advance notice that a complimentary bottle of wine will be provided, advises the prospective renter of certain laws against illegal public consumption, and provides the prospective renter with an opportunity to decline the complimentary wine bottle prior to the rental period. Owners of short-term rentals who obtain these special permits are permitted to purchase wine at wholesale. There are no existing rules on the topic of special permits for short-term rental owners, and new rules may need to be created on short-term rental owners. Rules regarding purchase of wine at wholesale may need to be amended.

HB 1772 ([chapter 217, Laws of 2023](#)) amends state law to prohibit the manufacture, distribution, offering, and sale of a consumable product that contains cannabis or any form of THC and alcohol. New rules may need to be created to implement this legislation.

Process

The rulemaking process begins by announcing the Board's intent to consider changes to existing rules, add new rule sections, or both by filing a pre-proposal statement of inquiry (CR 101) form with the Office of the Code Reviser. This allows staff, stakeholders, industry partners, and all members of the authorizing environment to begin discussing possible rule changes.

At the CR 101 stage of the rulemaking process, no proposed language is offered. Any interested person may comment on this possible rulemaking during the designated comment period. Notice will be sent to all who have indicated that they want to receive notice of rule activity related to this pre-proposal statement of inquiry. The notice will identify the public comment period and where comments can be sent.

PREPROPOSAL STATEMENT OF INQUIRY



CR-101 (October 2017)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Washington State Liquor and Cannabis Board

Subject of possible rule making: **Title 314 WAC.** The Washington State Liquor and Cannabis Board (Board) is considering repealing, amending, and creating rule sections as necessary to implement alcohol and cannabis-related legislation enacted during the 2023 legislative session, including House Bill (HB) 1730 (chapter 158, Laws of 2023); Engrossed Substitute House Bill (ESHB) 1731 (chapter 257, Laws of 2023); and House Bill (HB) 1772 (chapter 217, Laws of 2023).

Statutes authorizing the agency to adopt rules on this subject: RCW 66.08.030 (liquor); 66.20.330 (alcohol servers); and RCW 69.50.342 (Cannabis).

Reasons why rules on this subject may be needed and what they might accomplish: Rules may be needed to implement the provisions of the following alcohol and cannabis-related legislation as follows:

- HB 1730, which allows youth ages 18 and older to work in establishments traditionally classified as off-limits to persons under the age of 21 under certain specific and limited circumstances;
- ESHB 1731 which concerns the provision of complimentary liquor to short term rental operators; and
- HB 1772 which prohibits the manufacture, importation, and sale of products that combine alcohol and tetrahydrocannabinol.

HB 1730 allows youth ages 18 and older to work in establishments traditionally classified as off-limits to persons under the age of 21 under certain specific and limited circumstances.

ESHB 1731 concerns the provision of complimentary liquor to short term rental operators.

HB 1772 prohibits the manufacture, importation, and sale of products that combine alcohol and tetrahydrocannabinol.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rule making

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Daniel Jacobs, Policy and Rules Coordinator
Address: PO BOX 43080, Olympia, WA 98504
Phone: 360-480 1238
Fax: 360-704-5027
TTY:
Email: rules@lcb.wa.gov
Web site: lcb.wa.gov

(If necessary)

Name:
Address:
Phone:
Fax:
TTY:
Email:
Web site:

Other:

Other:

Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WALCB/subscriber/new>. Rulemaking notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the WSLCB website at lcb.wa.gov.

Date: DATE

Signature:

Place signature here

Name: David Postman

Title: Chair



Notice of Pre-Proposal Statement of Inquiry **WSR 23-11-XXX**

The Washington State Liquor and Cannabis Board (LCB) has filed a pre-proposal statement of inquiry (CR 101) to consider amending sections of some rules and repealing, amending, and creating other rule sections in Title 314 WAC, as necessary to implement three (3) bills passed during the 2023 legislative session: House Bill (HB) 1730 ([chapter 158, Laws of 2023](#)), Engrossed Substitute House Bill (ESHB) 1731 ([chapter 257, Laws of 2023](#)), and House Bill (HB) 1772 ([chapter 217, Laws of 2023](#)).

The LCB encourages your input about this rulemaking. Following the CR 101 comment period, the agency will distribute and publish a CR 102 with proposed rules, establish a formal comment period consistent with chapter 34.05 RCW on the proposed rules, and hold a public hearing before the final rules are adopted.

Public Comment

Please send your comments on the CR 101 to the WSLCB through mail, e-mail, or fax by **June 26, 2023**. The CR 102 with proposed rules is anticipated to be filed on or after August 2, 2023, following collaborative rule development.

By mail:	Rules Coordinator	By e-mail:	By fax:
	Liquor and Cannabis Board	rules@lcb.wa.gov	360-704-5027
	P.O. Box 43080		
	Olympia, WA 98504-3080		

This notice can be found at <https://lcb.wa.gov/laws/current-rulemaking-activity>.

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1730

Chapter 158, Laws of 2023

(partial veto)

68th Legislature
2023 Regular Session

LIQUOR LICENSEES—EMPLOYMENT OF PERSONS AGED 18, 19, AND 20

EFFECTIVE DATE: July 23, 2023

Passed by the House March 8, 2023
Yeas 84 Nays 13

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 7, 2023
Yeas 44 Nays 4

DENNY HECK

President of the Senate

Approved April 20, 2023 2:58 PM with
the exception of section 3, which is
vetoed.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the
House of Representatives of the
State of Washington, do hereby
certify that the attached is **HOUSE
BILL 1730** as passed by the House of
Representatives and the Senate on
the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 21, 2023

**Secretary of State
State of Washington**

HOUSE BILL 1730

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By Representatives Waters, Stonier, Klicker, Low, Couture, Chambers, Ybarra, Barnard, Schmidt, Street, McClintock, Walen, Hutchins, Caldier, and Cheney

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

1 AN ACT Relating to allowing youth ages 18 and older to work in
2 establishments traditionally classified as off-limits to persons
3 under the age of 21 in certain specific and limited circumstances;
4 amending RCW 66.44.316; creating a new section; and declaring an
5 emergency.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that the
8 COVID-19 pandemic created extreme labor shortages in certain
9 industries, especially in the food service and hospitality industry.

10 (2) The legislature further finds that establishments
11 traditionally classified as off-limits to persons under the age of 21
12 have experienced even greater labor challenges in occupations that do
13 not involve the serving of alcohol or interacting with patrons, such
14 as dishwashers, sanitation specialists, line cooks, prep cooks, fry
15 cooks, and chefs.

16 (3) The legislature further finds that these occupations are
17 critical entry-level jobs that help youth develop strong skills that
18 translate into success in other workplaces and occupations later in
19 life.

20 (4) Therefore, the legislature intends to allow, under specific
21 and limited circumstances, youth between the ages of 18 to 21 to be

1 employed in establishments traditionally classified as off-limits to
2 persons under the age of 21.

3 **Sec. 2.** RCW 66.44.316 and 1985 c 323 s 1 are each amended to
4 read as follows:

5 (1) It is lawful for:

6 ~~((1))~~ (a) Professional musicians, professional disc jockeys, or
7 professional sound or lighting technicians actively engaged in
8 support of professional musicians or professional disc jockeys,
9 ~~((eighteen))~~ 18 years of age and older, to enter and to remain in any
10 premises licensed under the provisions of ~~((Title 66 RCW))~~ this
11 title, but only during and in the course of their employment as
12 musicians, disc jockeys, or sound or lighting technicians;

13 ~~((2))~~ (b) Persons ~~((eighteen))~~ 18 years of age and older
14 performing janitorial services to enter and remain on premises
15 licensed under the provisions of ~~((Title 66 RCW))~~ this title when the
16 premises are closed but only during and in the course of their
17 performance of janitorial services;

18 ~~((3))~~ (c) Employees of amusement device companies, which
19 employees are ~~((eighteen))~~ 18 years of age or older, to enter and to
20 remain in any premises licensed under the provisions of ~~((Title 66~~
21 ~~RCW))~~ this title, but only during and in the course of their
22 employment for the purpose of installing, maintaining, repairing, or
23 removing an amusement device. For the purposes of this section
24 amusement device means coin-operated video games, pinball machines,
25 juke boxes, or other similar devices; ~~((and~~

26 ~~((4))~~ (d) Security and law enforcement officers, and firefighters
27 ~~((eighteen))~~ 18 years of age or older to enter and to remain in any
28 premises licensed under ~~((Title 66 RCW))~~ this title, but only during
29 and in the course of their official duties and only if they are not
30 the direct employees of the licensee. However, the application of
31 ~~((the [this]))~~ this subsection to security officers is limited to
32 casual, isolated incidents arising in the course of their duties and
33 does not extend to continuous or frequent entering or remaining in
34 any licensed premises; and

35 (e) Persons 18 years of age and older performing services
36 unrelated to the sale or service of alcohol to enter and remain on
37 premises licensed under this title, but only during and in the course
38 of their employment as a dishwasher, cook, chef, sanitation

1 specialist, or other kitchen staff and only under the following
2 conditions:

3 (i) The individual may not perform any services or work in the
4 bar, lounge, or dining area of the licensed premises;

5 (ii) The individual may not serve food, drinks, or otherwise
6 interact with the patrons of the licensee;

7 (iii) The individual may never be in possession of or consume
8 alcohol at any time; and

9 (iv) The licensee must ensure that a supervisor, who is at least
10 21 years of age, is present at all times that an individual employed
11 under this section is working.

12 (2) This section shall not be construed as permitting the sale or
13 distribution of any alcoholic beverages to any person under the age
14 of ((twenty-one)) 21 years.

15 ****NEW SECTION. Sec. 3. This act is necessary for the immediate***
16 ***preservation of the public peace, health, or safety, or support of***
17 ***the state government and its existing public institutions, and takes***
18 ***effect immediately.***

****Sec. 3 was vetoed. See message at end of chapter.***

Passed by the House March 8, 2023.

Passed by the Senate April 7, 2023.

Approved by the Governor April 20, 2023, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 21, 2023.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 3, House Bill No. 1730 entitled:

"AN ACT Relating to allowing youth ages 18 and older to work in establishments traditionally classified as off-limits to persons under the age of 21 in certain specific and limited circumstances."

This bill would make permanent certain temporary emergency provisions adopted in response to the COVID pandemic, but those emergency provisions lapsed in September of 2022. Section 3 is an emergency clause, which would make this bill effective immediately. This legislation is not necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions.

For these reasons I have vetoed Section 3 of House Bill No. 1730.

With the exception of Section 3, House Bill No. 1730 is approved."

--- END ---

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1731

Chapter 257, Laws of 2023

68th Legislature
2023 Regular Session

SHORT-TERM RENTAL OPERATORS—COMPLIMENTARY WINE BOTTLES

EFFECTIVE DATE: July 23, 2023

Passed by the House April 17, 2023
Yeas 86 Nays 10

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 6, 2023
Yeas 46 Nays 1

DENNY HECK

President of the Senate

Approved May 4, 2023 10:32 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1731** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 4, 2023

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1731

AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

State of Washington 68th Legislature 2023 Regular Session

By House Regulated Substances & Gaming (originally sponsored by Representatives Waters, Stonier, Klicker, Low, Couture, Chambers, Ybarra, Barnard, Schmidt, McClintock, Santos, and Hutchins)

READ FIRST TIME 02/15/23.

1 AN ACT Relating to complimentary liquor by short-term rental
2 operators; and amending RCW 66.20.010 and 66.24.200.

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

4 **Sec. 1.** RCW 66.20.010 and 2019 c 112 s 1 are each amended to
5 read as follows:

6 Upon application in the prescribed form being made to any
7 employee authorized by the board to issue permits, accompanied by
8 payment of the prescribed fee, and upon the employee being satisfied
9 that the applicant should be granted a permit under this title, the
10 employee must issue to the applicant under such regulations and at
11 such fee as may be prescribed by the board a permit of the class
12 applied for, as follows:

13 (1) Where the application is for a special permit by a physician
14 or dentist, or by any person in charge of an institution regularly
15 conducted as a hospital or sanatorium for the care of persons in ill
16 health, or as a home devoted exclusively to the care of aged people,
17 a special liquor purchase permit, except that the governor may waive
18 the requirement for a special liquor purchase permit under this
19 subsection pursuant to an order issued under RCW 43.06.220(2);

20 (2) Where the application is for a special permit by a person
21 engaged within the state in mechanical or manufacturing business or

1 in scientific pursuits requiring alcohol for use therein, or by any
2 private individual, a special permit to purchase alcohol for the
3 purpose named in the permit, except that the governor may waive the
4 requirement for a special liquor purchase permit under this
5 subsection pursuant to an order issued under RCW 43.06.220(2);

6 (3) Where the application is for a special permit to consume
7 liquor at a banquet, at a specified date and place, a special permit
8 to purchase liquor for consumption at such banquet, to such
9 applicants as may be fixed by the board;

10 (4) Where the application is for a special permit to consume
11 liquor on the premises of a business not licensed under this title, a
12 special permit to purchase liquor for consumption thereon for such
13 periods of time and to such applicants as may be fixed by the board;

14 (5) Where the application is for a special permit by a
15 manufacturer to import or purchase within the state alcohol, malt,
16 and other materials containing alcohol to be used in the manufacture
17 of liquor, or other products, a special permit;

18 (6) Where the application is for a special permit by a person
19 operating a drug store to purchase liquor at retail prices only, to
20 be thereafter sold by such person on the prescription of a physician,
21 a special liquor purchase permit, except that the governor may waive
22 the requirement for a special liquor purchase permit under this
23 subsection pursuant to an order issued under RCW 43.06.220(2);

24 (7) Where the application is for a special permit by an
25 authorized representative of a military installation operated by or
26 for any of the armed forces within the geographical boundaries of the
27 state of Washington, a special permit to purchase liquor for use on
28 such military installation;

29 (8) Where the application is for a special permit by a vendor
30 that manufactures or sells a product which cannot be effectively
31 presented to potential buyers without serving it with liquor or by a
32 manufacturer, importer, or distributor, or representative thereof, to
33 serve liquor without charge to delegates and guests at a convention
34 of a trade association composed of licensees of the board, when the
35 said liquor is served in a hospitality room or from a booth in a
36 board-approved suppliers' display room at the convention, and when
37 the liquor so served is for consumption in the said hospitality room
38 or display room during the convention, anything in this title to the
39 contrary notwithstanding. Any such spirituous liquor must be
40 purchased from a spirits retailer or distributor, and any such liquor

1 is subject to the taxes imposed by RCW 82.08.150, 66.24.290, and
2 66.24.210;

3 (9) Where the application is for a special permit by a
4 manufacturer, importer, or distributor, or representative thereof, to
5 donate liquor for a reception, breakfast, luncheon, or dinner for
6 delegates and guests at a convention of a trade association composed
7 of licensees of the board, when the liquor so donated is for
8 consumption at the said reception, breakfast, luncheon, or dinner
9 during the convention, anything in this title to the contrary
10 notwithstanding. Any such spirituous liquor must be purchased from a
11 spirits retailer or distributor, and any such liquor is subject to
12 the taxes imposed by RCW 82.08.150, 66.24.290, and 66.24.210;

13 (10) Where the application is for a special permit by a
14 manufacturer, importer, or distributor, or representative thereof, to
15 donate and/or serve liquor without charge to delegates and guests at
16 an international trade fair, show, or exposition held under the
17 auspices of a federal, state, or local governmental entity or
18 organized and promoted by a nonprofit organization, anything in this
19 title to the contrary notwithstanding. Any such spirituous liquor
20 must be purchased from a liquor spirits retailer or distributor, and
21 any such liquor is subject to the taxes imposed by RCW 82.08.150,
22 66.24.290, and 66.24.210;

23 (11) Where the application is for an annual special permit by a
24 person operating a bed and breakfast lodging facility to donate or
25 serve wine or beer without charge to overnight guests of the facility
26 if the wine or beer is for consumption on the premises of the
27 facility. "Bed and breakfast lodging facility," as used in this
28 subsection, means a facility offering from one to eight lodging units
29 and breakfast to travelers and guests;

30 (12) Where the application is for a special permit to allow
31 tasting of alcohol by persons at least (~~(eighteen)~~) 18 years of age
32 under the following circumstances:

33 (a) The application is from a community or technical college as
34 defined in RCW 28B.50.030, a regional university, or a state
35 university;

36 (b) The person who is permitted to taste under this subsection is
37 enrolled as a student in a required or elective class that is part of
38 a culinary, sommelier, wine business, enology, viticulture, wine
39 technology, beer technology, or spirituous technology-related degree
40 program;

1 (c) The alcohol served to any person in the degree-related
2 programs under (b) of this subsection is tasted but not consumed for
3 the purposes of educational training as part of the class curriculum
4 with the approval of the educational provider;

5 (d) The service and tasting of alcoholic beverages is supervised
6 by a faculty or staff member of the educational provider who is
7 (~~twenty-one~~) 21 years of age or older. The supervising faculty or
8 staff member shall possess a class 12 or 13 alcohol server permit
9 under the provisions of RCW 66.20.310;

10 (e) The enrolled student permitted to taste the alcoholic
11 beverages does not purchase the alcoholic beverages;

12 (f) The enrolled student permitted to taste the alcoholic
13 beverages conducts the tasting either: (i) On the premises of the
14 college or university at which the student is enrolled; or (ii) while
15 on a field trip to a grape-growing area or production facility so
16 long as the enrolled student is accompanied by a faculty or staff
17 member with a class 12 or 13 alcohol server permit who supervises as
18 provided in (d) of this subsection and all other requirements of this
19 subsection (12) are met; and

20 (g) The permit fee for the special permit provided for in this
21 subsection (12) must be waived by the board;

22 (13) Where the application is for a special permit by a
23 distillery or craft distillery for an event not open to the general
24 public to be held or conducted at a specific place, including at the
25 licensed premise of the applying distillery or craft distillery, upon
26 a specific date for the purpose of tasting and selling spirits of its
27 own production. The distillery or craft distillery must obtain a
28 permit for a fee of (~~ten dollars~~) \$10 per event. An application for
29 the permit must be submitted for private banquet permits prior to the
30 event and, once issued, must be posted in a conspicuous place at the
31 premises for which the permit was issued during all times the permit
32 is in use. No licensee may receive more than (~~twelve~~) 12 permits
33 under this subsection (13) each year;

34 (14) Where the application is for a special permit by a
35 manufacturer of wine for an event not open to the general public to
36 be held or conducted at a specific place upon a specific date for the
37 purpose of tasting and selling wine of its own production. The winery
38 must obtain a permit for a fee of (~~ten dollars~~) \$10 per event. An
39 application for the permit must be submitted at least ten days before
40 the event and once issued, must be posted in a conspicuous place at

1 the premises for which the permit was issued during all times the
2 permit is in use. No more than (~~twelve~~) 12 events per year may be
3 held by a single manufacturer under this subsection;

4 (15) Where the application is for a special permit by a
5 manufacturer of beer for an event not open to the general public to
6 be held or conducted at a specific place upon a specific date for the
7 purpose of tasting and selling beer of its own production. The
8 brewery or microbrewery must obtain a permit for a fee of (~~ten~~
9 ~~dollars~~) \$10 per event. An application for the permit must be
10 submitted at least (~~ten~~) 10 days before the event and, once issued,
11 must be posted in a conspicuous place at the premises for which the
12 permit was issued during all times the permit is in use. No more than
13 (~~twelve~~) 12 events per year may be held by a single manufacturer
14 under this subsection;

15 (16) Where the application is for a special permit by an
16 individual or business to sell a private collection of wine or
17 spirits to an individual or business. The seller must obtain a permit
18 at least five business days before the sale, for a fee of (~~twenty-~~
19 ~~five-dollars~~) \$25 per sale. The seller must provide an inventory of
20 products sold and the agreed price on a form provided by the board.
21 The seller shall submit the report and taxes due to the board no
22 later than (~~twenty~~) 20 calendar days after the sale. A permit may
23 be issued under this section to allow the sale of a private
24 collection to licensees, but may not be issued to a licensee to sell
25 to a private individual or business which is not otherwise authorized
26 under the license held by the seller. If the liquor is purchased by a
27 licensee, all sales are subject to taxes assessed as on liquor
28 acquired from any other source. The board may adopt rules to
29 implement this section;

30 (17)(a) A special permit, where the application is for a special
31 permit by a nonprofit organization to sell wine through an auction,
32 not open to the public, to be conducted at a specific place, upon a
33 specific date, and to allow wine tastings at the auction of the wine
34 to be auctioned.

35 (b) A permit holder under this subsection (17) may at the
36 specified event:

37 (i) Sell wine by auction for off-premises consumption; and

38 (ii) Allow tastings of samples of the wine to be auctioned at the
39 event.

1 (c) An application is required for a permit under this subsection
2 (17). The application must be submitted prior to the event and once
3 issued must be posted in a conspicuous place at the premises for
4 which the permit was issued during all times the permit is in use.

5 (d) Wine from more than one winery may be sold at the auction;
6 however, each winery selling wine at the auction must be listed on
7 the permit application. Only a single application form may be
8 required for each auction, regardless of the number of wineries that
9 are selling wine at the auction. The total fee per event for a permit
10 issued under this subsection (17) is (~~twenty-five dollars~~) \$25
11 multiplied by the number of wineries that are selling wine at the
12 auction.

13 (e) For the purposes of this subsection (17), "nonprofit
14 organization" means an entity incorporated as a nonprofit
15 organization under Washington state law.

16 (f) The board may adopt rules to implement this section; and

17 (18) An annual special permit to allow a short-term rental
18 operator to provide one complimentary bottle of wine to rental guests
19 who are age 21 or over. The annual special permit fee is \$75. A
20 single permit applies to all rental properties owned or operated by
21 the short-term rental operator and identified in the permit
22 application. One complimentary bottle of wine per booking may be
23 provided, regardless of the total number of rental guests. The
24 provision of the complimentary bottle of wine may occur only after an
25 operator or staff person of the short-term rental, who is present at
26 the short-term rental property, verifies that each rental guest who
27 will consume the complimentary bottle of wine is age 21 or over by
28 checking a valid form of identification of each such rental guest at
29 the time rental guests arrive. The rental guests must be informed the
30 rental guests are being offered one complimentary bottle of wine and
31 that opening or consuming the bottle of wine in a public place is
32 illegal pursuant to RCW 66.44.100. The rental guests must not have
33 notified the operator that the rental guests decline the
34 complimentary bottle of wine. The complimentary bottle of wine may be
35 consumed on the premises of the rental property or removed and
36 consumed off the premises of the rental property. A permit holder may
37 purchase wine from wine distributors in accordance with RCW
38 66.24.200, and from retailers and other suppliers of wine authorized
39 under this title to sell wine at retail to consumers for off-premises
40 consumption. For purposes of this subsection, the terms "short-term

1 rental," "operator," and "guest" have the same meanings as in RCW
2 64.37.010.

3 **Sec. 2.** RCW 66.24.200 and 2004 c 160 s 2 are each amended to
4 read as follows:

5 There shall be a license for wine distributors to sell wine,
6 purchased from licensed Washington wineries, wine certificate of
7 approval holders, licensed wine importers, or suppliers of foreign
8 wine located outside of the United States, to licensed wine retailers
9 ((and)), other wine distributors, and holders of annual special
10 permits issued under RCW 66.20.010(18), and to export the same from
11 the state; fee ((six hundred sixty dollars)) \$660 per year for each
12 distributing unit.

Passed by the House April 17, 2023.

Passed by the Senate April 6, 2023.

Approved by the Governor May 4, 2023.

Filed in Office of Secretary of State May 4, 2023.

--- END ---

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1772

Chapter 217, Laws of 2023

68th Legislature
2023 Regular Session

ALCOHOL AND CANNABIS COMBINATION PRODUCTS

EFFECTIVE DATE: July 23, 2023

Passed by the House February 28, 2023
Yeas 94 Nays 3

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 12, 2023
Yeas 48 Nays 0

DENNY HECK

President of the Senate

Approved May 1, 2023 3:16 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1772** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 2, 2023

**Secretary of State
State of Washington**

HOUSE BILL 1772

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By Representatives Waters, Orwall, Christian, Sandlin, Cheney, McClintock, Farivar, Timmons, Leavitt, Senn, Rule, Schmidt, and Pollet

Read first time 02/06/23. Referred to Committee on Regulated Substances & Gaming.

1 AN ACT Relating to prohibiting the manufacture, importation, and
2 sale of products that combine alcohol and tetrahydrocannabinol;
3 adding a new section to chapter 69.50 RCW; and adding a new section
4 to chapter 66.28 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 69.50
7 RCW to read as follows:

8 It is unlawful to manufacture, import, offer, or sell in this
9 state a consumable product that contains cannabis or any form of
10 tetrahydrocannabinol in combination with beer, wine, spirits, or any
11 other type of liquor in the same product.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 66.28
13 RCW to read as follows:

14 In accordance with section 1 of this act, it is unlawful to
15 manufacture, import, offer, or sell in this state a consumable
16 product that contains cannabis or any form of tetrahydrocannabinol in
17 combination with beer, wine, spirits, or any other type of liquor in
18 the same product.

Passed by the House February 28, 2023.
Passed by the Senate April 12, 2023.

Approved by the Governor May 1, 2023.
Filed in Office of Secretary of State May 2, 2023.

--- **END** ---