



## NOTICE OF RULE MAKING

### Spirits Distributor Licensing Fees Proposed Rules WSR # 19-16-159

The Washington State Liquor and Cannabis Board would like your input on the proposed rules regarding:

WAC 314-02-106, WAC 314-28-070, and seven sections of chapter 314-23 WAC. The proposed rules ensure compliance with a 2017 Court of Appeals Decision regarding collection of spirits distributor license fees. The decision, *Washington Restaurant Association, et.al., v. WSLCB*, 200 Wn.App. 119, 401 P.3d 428 (2017), states in part that distributor license fees cannot be collected from licensed distillers or certificate of approval holders who sell directly to a retailer. The decision also states that retailers selling spirits for resale must pay the distributor license fee when no other distributor license fee has been paid. Revisions also include technical and clarifying changes, and repeal WAC 314-23-025 regarding collection of shortfall of spirits distributor license fees since that rule expired March 31, 2013.

This notice can be found at <https://lcb.wa.gov/laws/laws-and-rules> under Proposed Rules.

The Liquor and Cannabis Board encourages you to give input on this rule. The board will hold at least one public hearing before the rules are adopted.

### Public Comment

Please forward your comments to the Liquor and Cannabis Board by mail, e-mail, or fax by September 18, 2019.

**By mail:** Rules Coordinator  
Liquor and Cannabis Board  
P.O. Box 43080  
Olympia, WA 98504-3080

**By e-mail:** [rules@lcb.wa.gov](mailto:rules@lcb.wa.gov)

**By fax:** 360-664-9689

**Public Hearing:** **September 18, 2019**  
**10:00 a.m.**  
Washington State Liquor and Cannabis Board – Board Room  
1025 Union Ave, Olympia, WA  
Olympia, WA 98504