



NOTICE OF PROPOSED RULES - WSR 21-09-042

The Washington State Liquor and Cannabis Board invites your input on proposed distillery reporting and payment rules. The proposed rules remove all reporting and payment requirements for distilleries and craft distilleries by repealing WAC 314-28-070 and 314-28-080 and amending several other rule sections. The proposed rule changes are consistent with the Court of Appeals decision in *Blue Spirits Distilling, LLC v. WSLCB*,¹ issued on December 22, 2020, which held that WSLCB rules requiring distillers to pay spirits retailer licensing fees when they acted as spirits retailers were invalid.

This notice and other relevant rulemaking materials may be viewed at <https://lcb.wa.gov/laws/current-rulemaking-activity>. The Board encourages your participation in the rulemaking process by providing feedback and comment on the proposed rules ([linked here](#)). The Board will hold at least one public hearing before the rules are adopted.

Public Comment

Please forward your comments to the Board by mail, e-mail, or fax by **May 26, 2021**.

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

By e-mail:
rules@lcb.wa.gov

By fax:
360-704-5027

Public Hearing: **May 26, 2021** **10:00 a.m.**

In response to the coronavirus disease 2019 (COVID-19) public health emergency, the Board will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington state. A virtual public hearing, without a physical meeting space, will be held instead. Board members, presenters, and staff will all participate remotely. The public may login using a computer or device, or call-in using a phone, to listen to the meeting through the Webex application. The public may provide verbal comments during the specified public comment and rules hearing segments.

For more information about board meetings, please visit https://lcb.wa.gov/boardmeetings/board_meetings.

¹ *Blue Spirits Distilling, LLC v. WSLCB*, 15 Wn. App. 2d 779, 478 P.3d 153 (2020).