



CR 101 Memorandum

Regarding implementation of 2021 legislation, E2SHB 1480, related to COVID-19 alcohol allowances.

Date: May 12, 2021

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Background

Engrossed Second Substitute House Bill (E2SHB) 1480 (chapter 48, Laws of 2021), relating to extending certain privileges granted to liquor licensees to mitigate the impact of the coronavirus (COVID-19) pandemic, took effect on April 14, 2021.

Reasons Why Rules Are Needed

Rules are needed to implement E2SHB 1480, which allows specifically listed privileges (or allowances) for certain liquor licensees to continue until June 30, 2023.

The following allowances are included among those temporarily authorized by the bill:

- Spirits, Beer and Wine restaurants may serve cocktails to go (premixed, or as a kit with ingredients for the customer to assemble at home) for takeout, curbside service or delivery;
- Alcohol products may be sold for takeout, curbside service or delivery by restaurants, taverns, domestic breweries and microbreweries, domestic wineries, distilleries, snack bars, nonprofit arts licensees and caterers;
- Licensees previously allowed to sell growlers for on-premises consumption may sell them for off-premises consumption through takeout, curbside service or delivery; and
- Beer and Wine Specialty shops may sell prefilled growlers for off-premises consumption through takeout or curbside service and delivery provided they are filled the same day they are sold.

Additionally, E2SHB 1480 directs WSLCB to:

- Implement the provisions of E2SHB 1480 related to the temporary allowances as expeditiously as possible;

- Revise rules to allow for outdoor service by on-premises licensees holding specified license types: restaurants, taverns, breweries, wineries, distilleries, snack bars and private clubs; and
- Consider revising rules to provide more flexible and more financially feasible food service requirements for licensees that currently have food service requirements.

Process

The rulemaking process begins by announcing WSLCB's intent to consider changes to existing rules, adding new rule sections, or both by filing a 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 proposed rule changes. At the CR 101 stage of the rulemaking process, no proposed language is offered. Any interested party may comment on the subject of 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 pertaining to this preproposal inquiry. The notice will identify the public comment period and where comments can be sent.