



PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)
(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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DATE: May 12, 2021

TIME: 10:47 AM

WSR 21-11-035

Agency: Washington State Liquor and Cannabis Board

Subject of possible rule making: The Washington State Liquor and Cannabis Board (WSLCB) is considering rulemaking to implement 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, which took effect on April 14, 2021. As part of this rulemaking, the WSLCB is considering creating new rule sections and making revisions throughout Title 314 WAC as necessary to implement E2SHB 1480.

Statutes authorizing the agency to adopt rules on this subject: RCW 66.08.030, Sections 2 and 3 of E2SHB 1480 (chapter 48, Laws of 2021).

Reasons why rules on this subject may be needed and what they might accomplish: 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.

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: Audrey Vasek, Policy and Rules Coordinator

(If necessary)

Name:

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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: May 12, 2021

Name: David Postman

Title: Chair

Signature:

