

General Advisement:

The LCB has received recent questions relating to opportunities to support first responders and health care workers by allowing people to buy alcoholic beverages for workers in these fields. The core legal issues in this area involve:

- Prohibited practices and undue influence between Industry Members and Retailers
- Sales below cost of acquisition for alcohol
- Advertising of free alcohol

Based on the LCB's review, the following points outline the allowances and prohibitions of purchasing alcohol for others.

- Allowance:
 - Patrons / customers may purchase alcohol beverages for other customers, as long as the purchaser is not an Industry Member or their employee.
 - Patrons / customers may purchase a gift card from the licensed business to use for sales transactions to buy alcoholic beverages for the desired customers, as long as the purchaser is not an Industry Member or their employee. (The gift card may be left with the licensed business for use until exhausted.)
 - Licensees may "buy" alcoholic beverages from their own business for the desired customer, as long as the alcohol is paid for, and appropriate taxes are paid. If the alcohol purchase comes from the business account, it must be recorded as a purchase in the point of sale system, and include sales tax.
 - Advertisement of the benefit for the focused customer base may indicate the licensee, or other customer, will "buy" the alcoholic beverage, as long as the other customer is not an Industry Member or their employee.
- Prohibition:
 - Any advertising of "free or complimentary" alcohol.
 - Retailer accepting money from an Industry Member or their employee for purchase of alcohol for any patron.
 - Licensee may not provide free alcohol, or provide alcohol as a purchase, without recording the sale and paying taxes.

Associated laws and rules:

- RCW 66.04.021
- RCW 66.28.030
- RCW 66.28.040
- RCW 66.28.285
- RCW 66.28.300
- RCW 66.28.305
- RCW 66.28.310
- WAC 314-01-005
- WAC 314-11-085
- WAC 314-11-095

- WAC 314-23-065
- WAC 314-52-110