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ENGROSSED HOUSE BILL 1602

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State of Washington

69th Legislature

2025 Regular Session

By Representatives Waters, Peterson, Bronoske, and Reed

Read first time 01/27/25. Referred to Committee on Consumer Protection & Business.

1 AN ACT Relating to food service options for liquor licensees;  
2 amending RCW 66.24.240, 66.24.244, 66.24.320, 66.24.410, and  
3 66.04.010; and reenacting and amending RCW 66.24.400.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 66.24.240 and 2021 c 6 s 4 are each amended to read  
6 as follows:

7 (1)(a) There shall be a license for domestic breweries; fee to be  
8 two thousand dollars for production of sixty thousand barrels or more  
9 of malt liquor per year.

10 (b) The annual fee in (a) of this subsection is waived during the  
11 12-month period beginning with the second calendar month after  
12 February 28, 2021, for:

13 (i) Licenses that expire during the 12-month waiver period under  
14 this subsection (1)(b); and

15 (ii) Licenses issued to persons previously licensed under this  
16 section at any time during the 12-month period prior to the 12-month  
17 waiver period under this subsection (1)(b).

18 (c) The waiver in (b) of this subsection does not apply to any  
19 licensee that:

20 (i) Had their license suspended by the board for health and  
21 safety violations of state COVID-19 guidelines; or

1 (ii) Received an order of immediate restraint or citation from  
2 the department of labor and industries for allowing an employee to  
3 perform work where business activity was prohibited in violation of  
4 an emergency proclamation of the governor under RCW 43.06.220.

5 (d) Upon request of the department of revenue, the board and the  
6 department of labor and industries must both provide a list of  
7 persons that they have determined to be ineligible for a fee waiver  
8 under (b) of this subsection for the reasons described in (c) of this  
9 subsection. Unless otherwise agreed, any list must be received by the  
10 department of revenue no later than 15 calendar days after the  
11 request is made.

12 (2) Any domestic brewery, except for a brand owner of malt  
13 beverages under RCW 66.04.010(7), licensed under this section may  
14 also act as a distributor and/or retailer for beer of its own  
15 production. Any domestic brewery operating as a distributor and/or  
16 retailer under this subsection shall comply with the applicable laws  
17 and rules relating to distributors and/or retailers. A domestic  
18 brewery holding a spirits, beer, and wine restaurant license may sell  
19 beer of its own production for off-premises consumption from its  
20 restaurant premises in kegs or in a sanitary container brought to the  
21 premises by the purchaser or furnished by the licensee and filled at  
22 the tap by the licensee at the time of sale.

23 (3) Any domestic brewery licensed under this section may also  
24 sell beer produced by another domestic brewery or a microbrewery for  
25 on and off-premises consumption from its premises as long as the  
26 other breweries' brands do not exceed twenty-five percent of the  
27 domestic brewery's on-tap offering of its own brands.

28 (4) A domestic brewery may hold up to four retail licenses to  
29 operate an on or off-premises tavern, beer and/or wine restaurant,  
30 spirits, beer, and wine restaurant, or any combination thereof. This  
31 retail license is separate from the brewery license. A brewery that  
32 holds a tavern license, a spirits, beer, and wine restaurant license,  
33 or a beer and/or wine restaurant license shall hold the same  
34 privileges and endorsements as permitted under RCW 66.24.320,  
35 66.24.330, and 66.24.420. However, when qualifying for and  
36 maintaining a beer and/or wine restaurant license or a spirits, beer,  
37 and wine restaurant license, a domestic brewery may subcontract with  
38 one or more individuals or entities to satisfy food service  
39 requirements applicable to the beer and/or wine restaurant license or  
40 the spirits, beer, and/or wine restaurant license.

1 (5) Any domestic brewery licensed under this section may  
2 contract-produce beer for a brand owner of malt beverages defined  
3 under RCW 66.04.010(7), and this contract-production is not a sale  
4 for the purposes of RCW 66.28.170 and 66.28.180.

5 (6)(a) A domestic brewery licensed under this section and  
6 qualified for a reduced rate of taxation pursuant to RCW  
7 66.24.290(3)(b) may apply to the board for an endorsement to sell  
8 bottled beer of its own production at retail for off-premises  
9 consumption at a qualifying farmers market. The annual fee for this  
10 endorsement is seventy-five dollars.

11 (b) For each month during which a domestic brewery will sell beer  
12 at a qualifying farmers market, the domestic brewery must provide the  
13 board or its designee a list of the dates, times, and locations at  
14 which bottled beer may be offered for sale. This list must be  
15 received by the board before the domestic brewery may offer beer for  
16 sale at a qualifying farmers market.

17 (c) The beer sold at qualifying farmers markets must be produced  
18 in Washington.

19 (d) Each approved location in a qualifying farmers market is  
20 deemed to be part of the domestic brewery license for the purpose of  
21 this title. The approved locations under an endorsement granted under  
22 this subsection do not include the tasting or sampling privilege of a  
23 domestic brewery. The domestic brewery may not store beer at a  
24 farmers market beyond the hours that the domestic brewery offers  
25 bottled beer for sale. The domestic brewery may not act as a  
26 distributor from a farmers market location.

27 (e) Before a domestic brewery may sell bottled beer at a  
28 qualifying farmers market, the farmers market must apply to the board  
29 for authorization for any domestic brewery with an endorsement  
30 approved under this subsection to sell bottled beer at retail at the  
31 farmers market. This application shall include, at a minimum: (i) A  
32 map of the farmers market showing all booths, stalls, or other  
33 designated locations at which an approved domestic brewery may sell  
34 bottled beer; and (ii) the name and contact information for the on-  
35 site market managers who may be contacted by the board or its  
36 designee to verify the locations at which bottled beer may be sold.  
37 Before authorizing a qualifying farmers market to allow an approved  
38 domestic brewery to sell bottled beer at retail at its farmers market  
39 location, the board shall notify the persons or entities of such  
40 application for authorization pursuant to RCW 66.24.010 (8) and (9).

1 An authorization granted under this subsection (6)(e) may be  
2 withdrawn by the board for any violation of this title or any rules  
3 adopted under this title.

4 (f) The board may adopt rules establishing the application and  
5 approval process under this section and such additional rules as may  
6 be necessary to implement this section.

7 (g) For the purposes of this subsection:

8 (i) "Qualifying farmers market" means an entity that sponsors a  
9 regular assembly of vendors at a defined location for the purpose of  
10 promoting the sale of agricultural products grown or produced in this  
11 state directly to the consumer under conditions that meet the  
12 following minimum requirements:

13 (A) There are at least five participating vendors who are farmers  
14 selling their own agricultural products;

15 (B) The total combined gross annual sales of vendors who are  
16 farmers exceeds the total combined gross annual sales of vendors who  
17 are processors or resellers;

18 (C) The total combined gross annual sales of vendors who are  
19 farmers, processors, or resellers exceeds the total combined gross  
20 annual sales of vendors who are not farmers, processors, or  
21 resellers;

22 (D) The sale of imported items and secondhand items by any vendor  
23 is prohibited; and

24 (E) No vendor is a franchisee.

25 (ii) "Farmer" means a natural person who sells, with or without  
26 processing, agricultural products that he or she raises on land he or  
27 she owns or leases in this state or in another state's county that  
28 borders this state.

29 (iii) "Processor" means a natural person who sells processed food  
30 that he or she has personally prepared on land he or she owns or  
31 leases in this state or in another state's county that borders this  
32 state.

33 (iv) "Reseller" means a natural person who buys agricultural  
34 products from a farmer and resells the products directly to the  
35 consumer.

36 (7) The state board of health shall adopt rules to allow dogs on  
37 the premises of licensed domestic breweries that do not provide or  
38 subcontract for food service subject to a food service permit  
39 requirement.

1       (8)(a) Subject to (b) of this subsection, nothing in this title  
2 prohibits the use of a domestic brewery's licensed premises for the  
3 subcontracted and, where applicable, subleased operation of a mobile  
4 food unit, as defined in RCW 43.20.025, or an independently operated  
5 food service provider or establishment by one or more persons or  
6 entities who sells food and nonalcoholic beverages to the public and  
7 does not hold a retail liquor license.

8       (b)(i) The premises used by the mobile food unit, as defined in  
9 RCW 43.20.025, or independently operated food service provider or  
10 establishment, and the areas of the licensee's premises to which  
11 staff of the mobile food unit or independently operated food service  
12 provider or establishment may access, must be substantially separated  
13 from the storage of nontax-paid alcohol.

14       (ii) A person who subcontracts or subleases with a domestic  
15 brewery as provided in (a) of this subsection (8) is responsible for  
16 all kitchen space identified in the subcontract or sublease and for  
17 compliance with all applicable local health department regulations,  
18 including kitchen and food service permits. A diagram of the kitchen  
19 plan must be included in the subcontract or sublease, and the  
20 subcontract or sublease must evidence agreement of this space to be  
21 subcontracted or subleased. A domestic brewery subcontracting or  
22 subleasing space on its licensed premises as provided in (a) of this  
23 subsection (8) shall include in the subcontract or sublease a  
24 notification that the other party to the agreement is responsible for  
25 the entire subcontracted or subleased space and must hold necessary  
26 kitchen and food service permits from the applicable local  
27 jurisdiction.

28       **Sec. 2.** RCW 66.24.244 and 2021 c 6 s 5 are each amended to read  
29 as follows:

30       (1)(a) There shall be a license for microbreweries; fee to be one  
31 hundred dollars for production of less than sixty thousand barrels of  
32 malt liquor, including strong beer, per year.

33       (b) The annual fee in (a) of this subsection is waived during the  
34 12-month period beginning with the second calendar month after  
35 February 28, 2021, for:

36       (i) Licenses that expire during the 12-month waiver period under  
37 this subsection (1)(b); and

1 (ii) Licenses issued to persons previously licensed under this  
2 section at any time during the 12-month period prior to the 12-month  
3 waiver period under this subsection (1)(b).

4 (c) The waiver in (b) of this subsection does not apply to any  
5 licensee that:

6 (i) Had their license suspended by the board for health and  
7 safety violations of state COVID-19 guidelines; or

8 (ii) Received an order of immediate restraint or citation from  
9 the department of labor and industries for allowing an employee to  
10 perform work where business activity was prohibited in violation of  
11 an emergency proclamation of the governor under RCW 43.06.220.

12 (d) Upon request of the department of revenue, the board and the  
13 department of labor and industries must both provide a list of  
14 persons that they have determined to be ineligible for a fee waiver  
15 under (b) of this subsection for the reasons described in (c) of this  
16 subsection. Unless otherwise agreed, any list must be received by the  
17 department of revenue no later than 15 calendar days after the  
18 request is made.

19 (2)(a) Any microbrewery licensed under this section may also act  
20 as a distributor and/or retailer for beer and strong beer of its own  
21 production.

22 (b) Any microbrewery operating as a distributor and/or retailer  
23 under this subsection must comply with the applicable laws and rules  
24 relating to distributors and/or retailers, except that a microbrewery  
25 operating as a distributor may maintain a warehouse off the premises  
26 of the microbrewery for the distribution of beer provided that:

27 (i) The warehouse has been approved by the board under RCW  
28 66.24.010; and

29 (ii) The number of warehouses off the premises of the  
30 microbrewery does not exceed one.

31 (c) A microbrewery holding a spirits, beer, and wine restaurant  
32 license may sell beer of its own production for off-premises  
33 consumption from its restaurant premises in kegs or in a sanitary  
34 container brought to the premises by the purchaser or furnished by  
35 the licensee and filled at the tap by the licensee at the time of  
36 sale.

37 (3) Any microbrewery licensed under this section may also sell  
38 from its premises for on-premises and off-premises consumption:

1 (a) Beer produced by another microbrewery or a domestic brewery  
2 as long as the other breweries' brands do not exceed twenty-five  
3 percent of the microbrewery's on-tap offerings; or

4 (b) Cider produced by a domestic winery.

5 (4) The board may issue up to four retail licenses allowing a  
6 microbrewery to operate an on or off-premises tavern, beer and/or  
7 wine restaurant, spirits, beer, and wine restaurant, or any  
8 combination thereof.

9 (5) A microbrewery that holds a tavern license, spirits, beer,  
10 and wine restaurant license, or a beer and/or wine restaurant license  
11 holds the same privileges and endorsements as permitted under RCW  
12 66.24.320, 66.24.330, and 66.24.420. However, when qualifying for and  
13 maintaining a beer and/or wine restaurant license or a spirits, beer,  
14 and wine restaurant license, a microbrewery may subcontract with one  
15 or more individuals or entities to satisfy food service requirements  
16 applicable to the beer and/or wine restaurant license or the spirits,  
17 beer, and/or wine restaurant license.

18 (6) (a) A microbrewery licensed under this section may apply to  
19 the board for an endorsement to sell bottled beer of its own  
20 production at retail for off-premises consumption at a qualifying  
21 farmers market. The annual fee for this endorsement is seventy-five  
22 dollars. However, strong beer may not be sold at a farmers market or  
23 under any endorsement which may authorize microbreweries to sell beer  
24 at farmers markets.

25 (b) For each month during which a microbrewery will sell beer at  
26 a qualifying farmers market, the microbrewery must provide the board  
27 or its designee a list of the dates, times, and locations at which  
28 bottled beer may be offered for sale. This list must be received by  
29 the board before the microbrewery may offer beer for sale at a  
30 qualifying farmers market.

31 (c) Any person selling or serving beer must obtain a class 12 or  
32 class 13 alcohol server permit.

33 (d) The beer sold at qualifying farmers markets must be produced  
34 in Washington.

35 (e) Each approved location in a qualifying farmers market is  
36 deemed to be part of the microbrewery license for the purpose of this  
37 title. The approved locations under an endorsement granted under this  
38 subsection (6) include tasting or sampling privileges subject to the  
39 conditions pursuant to RCW 66.24.175. The microbrewery may not store  
40 beer at a farmers market beyond the hours that the microbrewery

1 offers bottled beer for sale. The microbrewery may not act as a  
2 distributor from a farmers market location.

3 (f) Before a microbrewery may sell bottled beer at a qualifying  
4 farmers market, the farmers market must apply to the board for  
5 authorization for any microbrewery with an endorsement approved under  
6 this subsection (6) to sell bottled beer at retail at the farmers  
7 market. This application must include, at a minimum: (i) A map of the  
8 farmers market showing all booths, stalls, or other designated  
9 locations at which an approved microbrewery may sell bottled beer;  
10 and (ii) the name and contact information for the on-site market  
11 managers who may be contacted by the board or its designee to verify  
12 the locations at which bottled beer may be sold. Before authorizing a  
13 qualifying farmers market to allow an approved microbrewery to sell  
14 bottled beer at retail at its farmers market location, the board must  
15 notify the persons or entities of the application for authorization  
16 pursuant to RCW 66.24.010 (8) and (9). An authorization granted under  
17 this subsection (6)(f) may be withdrawn by the board for any  
18 violation of this title or any rules adopted under this title.

19 (g) The board may adopt rules establishing the application and  
20 approval process under this section and any additional rules  
21 necessary to implement this section.

22 (h) For the purposes of this subsection (6):

23 (i) "Qualifying farmers market" has the same meaning as defined  
24 in RCW 66.24.170.

25 (ii) "Farmer" means a natural person who sells, with or without  
26 processing, agricultural products that he or she raises on land he or  
27 she owns or leases in this state or in another state's county that  
28 borders this state.

29 (iii) "Processor" means a natural person who sells processed food  
30 that he or she has personally prepared on land he or she owns or  
31 leases in this state or in another state's county that borders this  
32 state.

33 (iv) "Reseller" means a natural person who buys agricultural  
34 products from a farmer and resells the products directly to the  
35 consumer.

36 (7) Any microbrewery licensed under this section may  
37 contract-produce beer for another microbrewer. This contract-  
38 production is not a sale for the purposes of RCW 66.28.170 and  
39 66.28.180.



1 (8) The state board of health shall adopt rules to allow dogs on  
2 the premises of licensed microbreweries that do not provide or  
3 contract for food service subject to a food service permit  
4 requirement.

5 (9)(a) Subject to (b) of this subsection, nothing in this title  
6 prohibits the use of a microbrewery's licensed premises for the  
7 subcontracted and, where applicable, subleased operation of a mobile  
8 food unit, as defined in RCW 43.20.025, or an independently operated  
9 food service provider or establishment, by a person who sells food  
10 and nonalcoholic beverages to the public and does not hold a retail  
11 liquor license.

12 (b)(i) The premises used by the mobile food unit, as defined in  
13 RCW 43.20.025, or independently operated food service provider or  
14 establishment, and the areas of the licensee's premises to which  
15 staff of such a mobile food unit or independently operated food  
16 service provider or establishment may access, must be substantially  
17 separated from the storage of nontax-paid alcohol.

18 (ii) A person who subcontracts or subleases with a microbrewery  
19 as provided in (a) of this subsection (9) is responsible for all  
20 kitchen space identified in the subcontract or sublease and for  
21 compliance with all applicable local health department regulations,  
22 including kitchen and food service permits. A diagram of the kitchen  
23 plan must be included in the subcontract or sublease, and the  
24 subcontract or sublease must evidence agreement of this space to be  
25 subcontracted or subleased. A microbrewery subcontracting or  
26 subleasing space on its licensed premises as provided in (a) of this  
27 subsection (9) shall include in the subcontract or sublease a  
28 notification that the other party to the agreement is responsible for  
29 the entire subcontracted or subleased space and must hold necessary  
30 kitchen and food service permits from the applicable local  
31 jurisdiction.

32 **Sec. 3.** RCW 66.24.320 and 2021 c 6 s 6 are each amended to read  
33 as follows:

34 There shall be a beer and/or wine restaurant license to sell  
35 beer, including strong beer, or wine, or both, at retail, for  
36 consumption on the premises. A patron of the licensee may remove from  
37 the premises, recorked or recapped in its original container, any  
38 portion of wine or sake that was purchased for consumption with a  
39 meal.

1 (1)(a) The annual fee shall be two hundred dollars for the beer  
2 license, two hundred dollars for the wine license, or four hundred  
3 dollars for a combination beer and wine license.

4 (b) The annual fees in (a) of this subsection are waived during  
5 the 12-month period beginning with the second calendar month after  
6 February 28, 2021, for:

7 (i) Licenses that expire during the 12-month waiver period under  
8 this subsection (1)(b); and

9 (ii) Licenses issued to persons previously licensed under this  
10 section at any time during the 12-month period prior to the 12-month  
11 waiver period under this subsection (1)(b).

12 (c) The waivers in (b) of this subsection do not apply to any  
13 licensee that:

14 (i) Had their license suspended by the board for health and  
15 safety violations of state COVID-19 guidelines; or

16 (ii) Received an order of immediate restraint or citation from  
17 the department of labor and industries for allowing an employee to  
18 perform work where business activity was prohibited in violation of  
19 an emergency proclamation of the governor under RCW 43.06.220.

20 (d) Upon request of the department of revenue, the board and the  
21 department of labor and industries must both provide a list of  
22 persons that they have determined to be ineligible for a fee waiver  
23 under (b) of this subsection for the reasons described in (c) of this  
24 subsection. Unless otherwise agreed, any list must be received by the  
25 department of revenue no later than 15 calendar days after the  
26 request is made.

27 (2)(a) The board may issue a caterer's endorsement to this  
28 license to allow the licensee to remove from the liquor stocks at the  
29 licensed premises, only those types of liquor that are authorized  
30 under the on-premises license privileges for sale and service at  
31 event locations at a specified date and, except as provided in  
32 subsection (3) of this section, place not currently licensed by the  
33 board. If the event is open to the public, it must be sponsored by a  
34 society or organization as defined by RCW 66.24.375. If attendance at  
35 the event is limited to members or invited guests of the sponsoring  
36 individual, society, or organization, the requirement that the  
37 sponsor must be a society or organization as defined by RCW 66.24.375  
38 is waived. Cost of the endorsement is three hundred fifty dollars.

39 (b) The holder of this license with a catering endorsement shall,  
40 if requested by the board, notify the board or its designee of the

1 date, time, place, and location of any catered event. Upon request,  
2 the licensee shall provide to the board all necessary or requested  
3 information concerning the society or organization that will be  
4 holding the function at which the endorsed license will be utilized.

5 (c) The holder of this license with a caterer's endorsement may,  
6 under conditions established by the board, store liquor on the  
7 premises of another not licensed by the board so long as there is a  
8 written agreement between the licensee and the other party to provide  
9 for ongoing catering services, the agreement contains no exclusivity  
10 clauses regarding the alcoholic beverages to be served, and the  
11 agreement is filed with the board.

12 (d) The holder of this license with a caterer's endorsement may,  
13 under conditions established by the board, store liquor on other  
14 premises operated by the licensee so long as the other premises are  
15 owned or controlled by a leasehold interest by that licensee. A  
16 duplicate license may be issued for each additional premises. A  
17 license fee of twenty dollars shall be required for such duplicate  
18 licenses.

19 (3) Licensees under this section that hold a caterer's  
20 endorsement are allowed to use this endorsement on a domestic winery  
21 premises or on the premises of a passenger vessel and may store  
22 liquor at such premises under conditions established by the board  
23 under the following conditions:

24 (a) Agreements between the domestic winery or the passenger  
25 vessel, as the case may be, and the retail licensee shall be in  
26 writing, contain no exclusivity clauses regarding the alcoholic  
27 beverages to be served, and be filed with the board; and

28 (b) The domestic winery or passenger vessel, as the case may be,  
29 and the retail licensee shall be separately contracted and  
30 compensated by the persons sponsoring the event for their respective  
31 services.

32 (4) The holder of this license or its manager may furnish beer or  
33 wine to the licensee's employees free of charge as may be required  
34 for use in connection with instruction on beer and wine. The  
35 instruction may include the history, nature, values, and  
36 characteristics of beer or wine, the use of wine lists, and the  
37 methods of presenting, serving, storing, and handling beer or wine.  
38 The beer and/or wine licensee must use the beer or wine it obtains  
39 under its license for the sampling as part of the instruction. The

1 instruction must be given on the premises of the beer and/or wine  
2 licensee.

3 (5) If the license is issued to a person who contracts with the  
4 Washington state ferry system to provide food and alcohol service on  
5 a designated ferry route, the license shall cover any vessel assigned  
6 to the designated route. A separate license is required for each  
7 designated ferry route.

8 (6) A domestic brewery or microbrewery that contracts with  
9 another establishment to prepare, cook, and serve food to patrons of  
10 the domestic brewery or microbrewery may be issued a license under  
11 this section as provided in RCW 66.24.240(4) and 66.24.244(5).

12 **Sec. 4.** RCW 66.24.400 and 2019 c 169 s 3 and 2019 c 61 s 2 are  
13 each reenacted and amended to read as follows:

14 (1) There shall be a retailer's license, to be known and  
15 designated as a spirits, beer, and wine restaurant license, to sell  
16 spirituous liquor by the individual glass, beer, and wine, at retail,  
17 for consumption on the premises, including mixed drinks and cocktails  
18 compounded or mixed on the premises only. A club licensed under  
19 chapter 70.62 RCW with overnight sleeping accommodations, that is  
20 licensed under this section may sell liquor by the bottle to  
21 registered guests of the club for consumption in guest rooms,  
22 hospitality rooms, or at banquets in the club. A patron of a bona  
23 fide restaurant or club licensed under this section may remove from  
24 the premises recorked or recapped in its original container any  
25 portion of wine or sake which was purchased for consumption with a  
26 meal, and registered guests who have purchased liquor from the club  
27 by the bottle may remove from the premises any unused portion of such  
28 liquor in its original container. Such license may be issued only to  
29 bona fide restaurants and clubs, and to dining, club and buffet cars  
30 on passenger trains, and to dining places on passenger boats and  
31 airplanes, and to dining places at civic centers with facilities for  
32 sports, entertainment, and conventions, and to such other  
33 establishments operated and maintained primarily for the benefit of  
34 tourists, vacationers and travelers as the board shall determine are  
35 qualified to have, and in the discretion of the board should have, a  
36 spirits, beer, and wine restaurant license under the provisions and  
37 limitations of this title.

38 (2) The board may issue an endorsement to the spirits, beer, and  
39 wine restaurant license that allows the holder of a spirits, beer,

1 and wine restaurant license to sell bottled wine for off-premises  
2 consumption. Spirits and beer may not be sold for off-premises  
3 consumption under this section except as provided in subsection (4)  
4 of this section. The annual fee for the endorsement under this  
5 subsection is one hundred twenty dollars.

6 (3) The holder of a spirits, beer, and wine license or its  
7 manager may furnish beer, wine, or spirituous liquor to the  
8 licensee's employees free of charge as may be required for use in  
9 connection with instruction on beer, wine, or spirituous liquor. The  
10 instruction may include the history, nature, values, and  
11 characteristics of beer, wine, or spirituous liquor, the use of wine  
12 lists, and the methods of presenting, serving, storing, and handling  
13 beer, wine, and spirituous liquor. The spirits, beer, and wine  
14 restaurant licensee must use the beer, wine, or spirituous liquor it  
15 obtains under its license for the sampling as part of the  
16 instruction. The instruction must be given on the premises of the  
17 spirits, beer, and wine restaurant licensee.

18 (4) The board may issue an endorsement to the spirits, beer, and  
19 wine restaurant license that allows the holder of a spirits, beer,  
20 and wine restaurant license to sell for off-premises consumption malt  
21 liquor in kegs or other containers that are capable of holding four  
22 gallons or more of liquid and are registered in accordance with RCW  
23 66.28.200. Beer may also be sold under the endorsement to a purchaser  
24 in a sanitary container brought to the premises by the purchaser or  
25 furnished by the licensee and filled at the tap by the retailer at  
26 the time of sale. The annual fee for the endorsement under this  
27 subsection is one hundred twenty dollars.

28 (5)(a) The board shall create a soju endorsement to the spirits,  
29 beer, and wine restaurant license that allows the holder of a  
30 spirits, beer, and wine restaurant license to serve soju for on-  
31 premises consumption by the bottle to tables of two or more patrons  
32 twenty-one years of age or older. Cost of the endorsement is fifty  
33 dollars.

34 (b) The holder of a soju endorsement may serve soju in bottles  
35 that are three hundred seventy-five milliliters or less. Empty  
36 bottles of soju must remain on the patron's table until the patron  
37 has left the premises of the licensee.

38 (c) The patron of a holder of a soju endorsement may remove from  
39 the premises recapped in its original container any unused portion of  
40 soju that was purchased for consumption with a meal.

(d) The board must develop additional responsible sale and service of soju training curriculum related to the provisions of the soju endorsement under this subsection (5) that includes but is not limited to certification procedures and enforcement policies. This information must be provided in both Korean and English languages to licensees holding the soju endorsement. Soju endorsement holders must ensure servers providing soju to patrons are trained in the soju curriculum developed under this subsection (5).

(6) A domestic brewery or microbrewery that contracts with one or more mobile food units, as defined in RCW 43.20.025, or independently operated food service providers or establishments may be issued a license under this section as provided in RCW 66.24.240(4) and 66.24.244(5).

**Sec. 5.** RCW 66.24.410 and 2011 c 195 s 2 are each amended to read as follows:

(1) "Spirituous liquor," as used in RCW 66.24.400 ~~((to))~~ through 66.24.450, inclusive, means "liquor" as defined in RCW 66.04.010, except "wine" and "beer" sold as such.

(2) "Restaurant" as used in RCW 66.24.400 ~~((to))~~ through 66.24.450, inclusive, means an establishment provided with special space and accommodations where, in consideration of payment, food, without lodgings, is habitually furnished to the public, not including drug stores and soda fountains: PROVIDED, That such establishments shall be approved by the board and that the board shall be satisfied that such establishment is maintained in a substantial manner as a place for preparing, cooking, and serving of complete meals or is a domestic brewery or a microbrewery that subcontracts with one or more individuals or entities to satisfy food service requirements, that is maintained in a substantial manner as a place for preparing, cooking, and serving of complete meals, to prepare, cook, and serve complete meals on behalf of the domestic brewery or microbrewery under the domestic brewery or microbrewery's spirits, beer, and wine restaurant license. Requirements for complete meals shall be determined by the board in rules adopted pursuant to chapter 34.05 RCW.

(3) "Hotel," "clubs," "wine" and "beer" are used in RCW 66.24.400 ~~((to))~~ through 66.24.450, inclusive, with the meaning given in chapter 66.04 RCW.

1       **Sec. 6.** RCW 66.04.010 and 2023 c 279 s 2 are each amended to  
2 read as follows:

3       In this title, unless the context otherwise requires:

4       (1) "Alcohol" is that substance known as ethyl alcohol, hydrated  
5 oxide of ethyl, or spirit of wine, which is commonly produced by the  
6 fermentation or distillation of grain, starch, molasses, or sugar, or  
7 other substances including all dilutions and mixtures of this  
8 substance. The term "alcohol" does not include alcohol in the  
9 possession of a manufacturer or distiller of alcohol fuel, as  
10 described in RCW 66.12.130, which is intended to be denatured and  
11 used as a fuel for use in motor vehicles, farm implements, and  
12 machines or implements of husbandry.

13       (2) "Authorized representative" means a person who:

14       (a) Is required to have a federal basic permit issued pursuant to  
15 the federal alcohol administration act, 27 U.S.C. Sec. 204;

16       (b) Has its business located in the United States outside of the  
17 state of Washington;

18       (c) Acquires ownership of beer or wine for transportation into  
19 and resale in the state of Washington; and which beer or wine is  
20 produced by a brewery or winery in the United States outside of the  
21 state of Washington; and

22       (d) Is appointed by the brewery or winery referenced in (c) of  
23 this subsection as its authorized representative for marketing and  
24 selling its products within the United States in accordance with a  
25 written agreement between the authorized representative and such  
26 brewery or winery pursuant to this title.

27       (3) "Beer" means any malt beverage, flavored malt beverage, or  
28 malt liquor as these terms are defined in this chapter.

29       (4) "Beer distributor" means a person who buys beer from a  
30 domestic brewery, microbrewery, beer certificate of approval holder,  
31 or beer importers, or who acquires foreign produced beer from a  
32 source outside of the United States, for the purpose of selling the  
33 same pursuant to this title, or who represents such brewer or brewery  
34 as agent.

35       (5) "Beer importer" means a person or business within Washington  
36 who purchases beer from a beer certificate of approval holder or who  
37 acquires foreign produced beer from a source outside of the United  
38 States for the purpose of selling the same pursuant to this title.

39       (6) "Board" means the liquor and cannabis board, constituted  
40 under this title.

1       (7) "Brewer" or "brewery" means any person engaged in the  
2 business of manufacturing beer and malt liquor. Brewer includes a  
3 brand owner of malt beverages who holds a brewer's notice with the  
4 federal bureau of alcohol, tobacco, and firearms at a location  
5 outside the state and whose malt beverage is contract-produced by a  
6 licensed in-state brewery, and who may exercise within the state,  
7 under a domestic brewery license, only the privileges of storing,  
8 selling to licensed beer distributors, and exporting beer from the  
9 state.

10       (8) "Club" means an organization of persons, incorporated or  
11 unincorporated, operated solely for fraternal, benevolent,  
12 educational, athletic, or social purposes, and not for pecuniary  
13 gain.

14       (9) "Confection" means a preparation of sugar, honey, or other  
15 natural or artificial sweeteners in combination with chocolate,  
16 fruits, nuts, dairy products, or flavorings, in the form of bars,  
17 drops, or pieces.

18       (10) "Consume" includes the putting of liquor to any use, whether  
19 by drinking or otherwise.

20       (11) "Contract liquor store" means a business that sells liquor  
21 on behalf of the board through a contract with a contract liquor  
22 store manager.

23       (12) "Craft distillery" means a distillery that pays the reduced  
24 licensing fee under RCW 66.24.140.

25       (13) "Delivery" means the transportation of alcohol to an  
26 individual located within Washington state from a licensed location  
27 holding an alcohol delivery endorsement as part of a delivery order.  
28 "Delivery" does not include services provided by common carriers.

29       (14) "Dentist" means a practitioner of dentistry duly and  
30 regularly licensed and engaged in the practice of his or her  
31 profession within the state pursuant to chapter 18.32 RCW.

32       (15) "Distiller" means a person engaged in the business of  
33 distilling spirits.

34       (16) "Domestic brewery" means a place where beer and malt liquor  
35 are manufactured or produced by a brewer within the state.

36       (17) "Domestic winery" means a place where wines are manufactured  
37 or produced within the state of Washington.

38       (18) "Drug store" means a place whose principal business is, the  
39 sale of drugs, medicines, and pharmaceutical preparations and



1 maintains a regular prescription department and employs a registered  
2 pharmacist during all hours the drug store is open.

3 (19) "Druggist" means any person who holds a valid certificate  
4 and is a registered pharmacist and is duly and regularly engaged in  
5 carrying on the business of pharmaceutical chemistry pursuant to  
6 chapter 18.64 RCW.

7 (20) "Employee" means any person employed by the board.

8 (21) "Flavored malt beverage" means:

9 (a) A malt beverage containing six percent or less alcohol by  
10 volume to which flavoring or other added nonbeverage ingredients are  
11 added that contain distilled spirits of not more than forty-nine  
12 percent of the beverage's overall alcohol content; or

13 (b) A malt beverage containing more than six percent alcohol by  
14 volume to which flavoring or other added nonbeverage ingredients are  
15 added that contain distilled spirits of not more than one and  
16 one-half percent of the beverage's overall alcohol content.

17 (22) "Fund" means 'liquor revolving fund.'

18 (23) "Hotel" means buildings, structures, and grounds, having  
19 facilities for preparing, cooking, and serving food, that are kept,  
20 used, maintained, advertised, or held out to the public to be a place  
21 where food is served and sleeping accommodations are offered for pay  
22 to transient guests, in which twenty or more rooms are used for the  
23 sleeping accommodation of such transient guests. The buildings,  
24 structures, and grounds must be located on adjacent property either  
25 owned or leased by the same person or persons.

26 (24) "Importer" means a person who buys distilled spirits from a  
27 distillery outside the state of Washington and imports such  
28 spirituous liquor into the state for sale to the board or for export.

29 (25) "Imprisonment" means confinement in the county jail.

30 (26) "Liquor" includes the four varieties of liquor herein  
31 defined (alcohol, spirits, wine, and beer), and all fermented,  
32 spirituous, vinous, or malt liquor, or combinations thereof, and  
33 mixed liquor, a part of which is fermented, spirituous, vinous or  
34 malt liquor, or otherwise intoxicating; and every liquid or solid or  
35 semisolid or other substance, patented or not, containing alcohol,  
36 spirits, wine, or beer, and all drinks or drinkable liquids and all  
37 preparations or mixtures capable of human consumption, and any  
38 liquid, semisolid, solid, or other substance, which contains more  
39 than one percent of alcohol by weight shall be conclusively deemed to

1 be intoxicating. Liquor does not include confections or food products  
2 that contain one percent or less of alcohol by weight.

3 (27) "Malt beverage" or "malt liquor" means any beverage such as  
4 beer, ale, lager beer, stout, and porter obtained by the alcoholic  
5 fermentation of an infusion or decoction of pure hops, or pure  
6 extract of hops and pure barley malt or other wholesome grain or  
7 cereal in pure water containing not more than eight percent of  
8 alcohol by weight, and not less than one-half of one percent of  
9 alcohol by volume. For the purposes of this title, any such beverage  
10 containing more than eight percent of alcohol by weight shall be  
11 referred to as "strong beer."

12 (28) "Manufacturer" means a person engaged in the preparation of  
13 liquor for sale, in any form whatsoever.

14 (29) "Nightclub" means an establishment that provides  
15 entertainment and has as its primary source of revenue (a) the sale  
16 of alcohol for consumption on the premises, (b) cover charges, or (c)  
17 both.

18 (30) "Package" means any container or receptacle used for holding  
19 liquor.

20 (31) "Passenger vessel" means any boat, ship, vessel, barge, or  
21 other floating craft of any kind carrying passengers for  
22 compensation.

23 (32) "Permit" means a permit for the purchase of liquor under  
24 this title.

25 (33) "Person" means an individual, copartnership, association, or  
26 corporation.

27 (34) "Physician" means a medical practitioner duly and regularly  
28 licensed and engaged in the practice of his or her profession within  
29 the state pursuant to chapter 18.71 RCW.

30 (35) "Powdered alcohol" means any powder or crystalline substance  
31 containing alcohol that is produced for direct use or reconstitution.

32 (36) "Prescription" means a memorandum signed by a physician and  
33 given by him or her to a patient for the obtaining of liquor pursuant  
34 to this title for medicinal purposes.

35 (37) "Public place" includes streets and alleys of incorporated  
36 cities and towns; state or county or township highways or roads;  
37 buildings and grounds used for school purposes; public dance halls  
38 and grounds adjacent thereto; those parts of establishments where  
39 beer may be sold under this title, soft drink establishments, public  
40 buildings, public meeting halls, lobbies, halls and dining rooms of

1 hotels, restaurants, theaters, stores, garages and filling stations  
2 which are open to and are generally used by the public and to which  
3 the public is permitted to have unrestricted access; railroad trains,  
4 stages, and other public conveyances of all kinds and character, and  
5 the depots and waiting rooms used in conjunction therewith which are  
6 open to unrestricted use and access by the public; publicly owned  
7 bathing beaches, parks, and/or playgrounds; and all other places of  
8 like or similar nature to which the general public has unrestricted  
9 right of access, and which are generally used by the public.

10 (38) "Regulations" means regulations made by the board under the  
11 powers conferred by this title.

12 (39) "Restaurant" means any establishment provided with special  
13 space and accommodations where, in consideration of payment, food,  
14 without lodgings, is habitually furnished to the public, not  
15 including drug stores and soda fountains, but including domestic  
16 breweries and microbreweries who contract with another establishment  
17 to provide food service in accordance with RCW 66.24.240(4) and  
18 66.24.244(5).

19 (40) "Sale" and "sell" include exchange, barter, and traffic; and  
20 also include the selling or supplying or distributing, by any means  
21 whatsoever, of liquor, or of any liquid known or described as beer or  
22 by any name whatever commonly used to describe malt or brewed liquor  
23 or of wine, by any person to any person; and also include a sale or  
24 selling within the state to a foreign consignee or his or her agent  
25 in the state. "Sale" and "sell" shall not include the giving, at no  
26 charge, of a reasonable amount of liquor by a person not licensed by  
27 the board to a person not licensed by the board, for personal use  
28 only. "Sale" and "sell" also does not include a raffle authorized  
29 under RCW 9.46.0315: PROVIDED, That the nonprofit organization  
30 conducting the raffle has obtained the appropriate permit from the  
31 board.

32 (41) "Service bar" means a fixed or portable table, counter,  
33 cart, or similar workstation primarily used to prepare, mix, serve,  
34 and sell alcohol that is picked up by employees or customers.  
35 Customers may not be seated or allowed to consume food or alcohol at  
36 a service bar.

37 (42) "Soda fountain" means a place especially equipped with  
38 apparatus for the purpose of dispensing soft drinks, whether mixed or  
39 otherwise.

1 (43) "Soju" means a traditional Korean distilled alcoholic  
2 beverage, produced using authentic Korean recipes and production  
3 methods, and derived from agricultural products, that contains not  
4 more than twenty-four percent of alcohol by volume.

5 (44) "Spirits" means any beverage which contains alcohol obtained  
6 by distillation, except flavored malt beverages, but including wines  
7 exceeding twenty-four percent of alcohol by volume.

8 (45) "Store" means a state liquor store established under this  
9 title.

10 (46) "Tavern" means any establishment with special space and  
11 accommodation for sale by the glass and for consumption on the  
12 premises, of beer, as herein defined.

13 (47) "VIP airport lounge" means an establishment within an  
14 international airport located beyond security checkpoints that  
15 provides a special space to sit, relax, read, work, and enjoy  
16 beverages where access is controlled by the VIP airport lounge  
17 operator and is generally limited to the following classifications of  
18 persons:

19 (a) Airline passengers of any age whose admission is based on a  
20 first-class, executive, or business class ticket;

21 (b) Airline passengers of any age who are qualified members or  
22 allowed guests of certain frequent flyer or other loyalty incentive  
23 programs maintained by airlines that have agreements describing the  
24 conditions for access to the VIP airport lounge;

25 (c) Airline passengers of any age who are qualified members or  
26 allowed guests of certain enhanced amenities programs maintained by  
27 companies that have agreements describing the conditions for access  
28 to the VIP airport lounge;

29 (d) Airport and airline employees, government officials, foreign  
30 dignitaries, and other attendees of functions held by the airport  
31 authority or airlines related to the promotion of business objectives  
32 such as increasing international air traffic and enhancing foreign  
33 trade where access to the VIP airport lounge will be controlled by  
34 the VIP airport lounge operator; and

35 (e) Airline passengers of any age or airline employees whose  
36 admission is based on a pass issued or permission given by the  
37 airline for access to the VIP airport lounge.

38 (48) "VIP airport lounge operator" means an airline, port  
39 district, or other entity operating a VIP airport lounge that: Is  
40 accountable for compliance with the alcohol beverage control act

1 under this title; holds the license under chapter 66.24 RCW issued to  
2 the VIP airport lounge; and provides a point of contact for  
3 addressing any licensing and enforcement by the board.

4 (49)(a) "Wine" means any alcoholic beverage obtained by  
5 fermentation of fruits (grapes, berries, apples, et cetera) or other  
6 agricultural product containing sugar, to which any saccharine  
7 substances may have been added before, during or after fermentation,  
8 and containing not more than twenty-four percent of alcohol by  
9 volume, including sweet wines fortified with wine spirits, such as  
10 port, sherry, muscatel, and angelica, not exceeding twenty-four  
11 percent of alcohol by volume and not less than one-half of one  
12 percent of alcohol by volume. For purposes of this title, any  
13 beverage containing no more than fourteen percent of alcohol by  
14 volume when bottled or packaged by the manufacturer shall be referred  
15 to as "table wine," and any beverage containing alcohol in an amount  
16 more than fourteen percent by volume when bottled or packaged by the  
17 manufacturer shall be referred to as "fortified wine." However,  
18 "fortified wine" shall not include: (i) Wines that are both sealed or  
19 capped by cork closure and aged two years or more; and (ii) wines  
20 that contain more than fourteen percent alcohol by volume solely as a  
21 result of the natural fermentation process and that have not been  
22 produced with the addition of wine spirits, brandy, or alcohol.

23 (b) This subsection shall not be interpreted to require that any  
24 wine be labeled with the designation "table wine" or "fortified  
25 wine."

26 (50) "Wine distributor" means a person who buys wine from a  
27 domestic winery, wine certificate of approval holder, or wine  
28 importer, or who acquires foreign produced wine from a source outside  
29 of the United States, for the purpose of selling the same not in  
30 violation of this title, or who represents such vintner or winery as  
31 agent.

32 (51) "Wine importer" means a person or business within Washington  
33 who purchases wine from a wine certificate of approval holder or who  
34 acquires foreign produced wine from a source outside of the United  
35 States for the purpose of selling the same pursuant to this title.

36 (52) "Winery" means a business conducted by any person for the  
37 manufacture of wine for sale, other than a domestic winery.

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