
SENATE BILL 6386

State of Washington 63rd Legislature 2014 Regular Session

By Senators Holmquist Newbry, Kohl-Welles, Hewitt, and Brown

Read first time 01/23/14. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to alcohol tasting by students under twenty-one
2 years of age; and amending RCW 66.20.010 and 66.44.270.

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

4 **Sec. 1.** RCW 66.20.010 and 2013 c 59 s 1 are each amended to read
5 as follows:

6 Upon application in the prescribed form being made to any employee
7 authorized by the board to issue permits, accompanied by payment of the
8 prescribed fee, and upon the employee being satisfied that the
9 applicant should be granted a permit under this title, the employee
10 must issue to the applicant under such regulations and at such fee as
11 may be prescribed by the board a permit of the class applied for, as
12 follows:

13 (1) Where the application is for a special permit by a physician or
14 dentist, or by any person in charge of an institution regularly
15 conducted as a hospital or sanitorium for the care of persons in ill
16 health, or as a home devoted exclusively to the care of aged people, a
17 special liquor purchase permit, except that the governor may waive the
18 requirement for a special liquor purchase permit under this subsection
19 pursuant to an order issued under RCW 43.06.220(2);

1 (2) Where the application is for a special permit by a person
2 engaged within the state in mechanical or manufacturing business or in
3 scientific pursuits requiring alcohol for use therein, or by any
4 private individual, a special permit to purchase alcohol for the
5 purpose named in the permit, except that the governor may waive the
6 requirement for a special liquor purchase permit under this subsection
7 pursuant to an order issued under RCW 43.06.220(2);

8 (3) Where the application is for a special permit to consume liquor
9 at a banquet, at a specified date and place, a special permit to
10 purchase liquor for consumption at such banquet, to such applicants as
11 may be fixed by the board;

12 (4) Where the application is for a special permit to consume liquor
13 on the premises of a business not licensed under this title, a special
14 permit to purchase liquor for consumption thereon for such periods of
15 time and to such applicants as may be fixed by the board;

16 (5) Where the application is for a special permit by a manufacturer
17 to import or purchase within the state alcohol, malt, and other
18 materials containing alcohol to be used in the manufacture of liquor,
19 or other products, a special permit;

20 (6) Where the application is for a special permit by a person
21 operating a drug store to purchase liquor at retail prices only, to be
22 thereafter sold by such person on the prescription of a physician, a
23 special liquor purchase permit, except that the governor may waive the
24 requirement for a special liquor purchase permit under this subsection
25 pursuant to an order issued under RCW 43.06.220(2);

26 (7) Where the application is for a special permit by an authorized
27 representative of a military installation operated by or for any of the
28 armed forces within the geographical boundaries of the state of
29 Washington, a special permit to purchase liquor for use on such
30 military installation;

31 (8) Where the application is for a special permit by a vendor that
32 manufactures or sells a product which cannot be effectively presented
33 to potential buyers without serving it with liquor or by a
34 manufacturer, importer, or distributor, or representative thereof, to
35 serve liquor without charge to delegates and guests at a convention of
36 a trade association composed of licensees of the board, when the said
37 liquor is served in a hospitality room or from a booth in a board-
38 approved suppliers' display room at the convention, and when the liquor

1 so served is for consumption in the said hospitality room or display
2 room during the convention, anything in this title to the contrary
3 notwithstanding. Any such spirituous liquor must be purchased from a
4 spirits retailer or distributor, and any such liquor is subject to the
5 taxes imposed by RCW 66.24.290 and 66.24.210;

6 (9) Where the application is for a special permit by a
7 manufacturer, importer, or distributor, or representative thereof, to
8 donate liquor for a reception, breakfast, luncheon, or dinner for
9 delegates and guests at a convention of a trade association composed of
10 licensees of the board, when the liquor so donated is for consumption
11 at the said reception, breakfast, luncheon, or dinner during the
12 convention, anything in this title to the contrary notwithstanding.
13 Any such spirituous liquor must be purchased from a spirits retailer or
14 distributor, and any such liquor is subject to the taxes imposed by RCW
15 66.24.290 and 66.24.210;

16 (10) Where the application is for a special permit by a
17 manufacturer, importer, or distributor, or representative thereof, to
18 donate and/or serve liquor without charge to delegates and guests at an
19 international trade fair, show, or exposition held under the auspices
20 of a federal, state, or local governmental entity or organized and
21 promoted by a nonprofit organization, anything in this title to the
22 contrary notwithstanding. Any such spirituous liquor must be purchased
23 from a liquor spirits retailer or distributor, and any such liquor is
24 subject to the taxes imposed by RCW 66.24.290 and 66.24.210;

25 (11) Where the application is for an annual special permit by a
26 person operating a bed and breakfast lodging facility to donate or
27 serve wine or beer without charge to overnight guests of the facility
28 if the wine or beer is for consumption on the premises of the facility.
29 "Bed and breakfast lodging facility," as used in this subsection, means
30 a facility offering from one to eight lodging units and breakfast to
31 travelers and guests;

32 (12) Where the application is for a special permit to allow tasting
33 of alcohol by persons at least eighteen years of age under the
34 following circumstances:

35 (a) The application is from a community or technical college as
36 defined in RCW 28B.50.030, a regional university, or a state
37 university;

1 (b) The person who is permitted to taste under this subsection is
2 enrolled as a student in a required or elective class that is part of
3 a culinary, sommelier, wine business, enology, viticulture, wine
4 technology, beer technology, or spirituous technology-related degree
5 program;

6 (c) The alcohol served to any person in the degree-related programs
7 under (b) of this subsection is tasted but not consumed for the
8 purposes of educational training as part of the class curriculum with
9 the approval of the educational provider;

10 (d) The service and tasting of alcoholic beverages is supervised by
11 a faculty or staff member of the educational provider who is twenty-one
12 years of age or older. The supervising faculty or staff member shall
13 possess a class 12 or 13 alcohol server permit under the provisions of
14 RCW 66.20.310;

15 (e) The enrolled student permitted to taste the alcoholic beverages
16 does not purchase the alcoholic beverages; and

17 (f) The permit fee for the special permit provided for in this
18 subsection (12) shall be waived by the board.

19 **Sec. 2.** RCW 66.44.270 and 2013 c 112 s 2 are each amended to read
20 as follows:

21 (1) It is unlawful for any person to sell, give, or otherwise
22 supply liquor to any person under the age of twenty-one years or permit
23 any person under that age to consume liquor on his or her premises or
24 on any premises under his or her control. For the purposes of this
25 subsection, "premises" includes real property, houses, buildings, and
26 other structures, and motor vehicles and watercraft. A violation of
27 this subsection is a gross misdemeanor punishable as provided for in
28 chapter 9A.20 RCW.

29 (2)(a) It is unlawful for any person under the age of twenty-one
30 years to possess, consume, or otherwise acquire any liquor. A
31 violation of this subsection is a gross misdemeanor punishable as
32 provided for in chapter 9A.20 RCW.

33 (b) It is unlawful for a person under the age of twenty-one years
34 to be in a public place, or to be in a motor vehicle in a public place,
35 while exhibiting the effects of having consumed liquor. For purposes
36 of this subsection, exhibiting the effects of having consumed liquor
37 means that a person has the odor of liquor on his or her breath and

1 either: (i) Is in possession of or close proximity to a container that
2 has or recently had liquor in it; or (ii) by speech, manner,
3 appearance, behavior, lack of coordination, or otherwise, exhibits that
4 he or she is under the influence of liquor. This subsection (2)(b)
5 does not apply if the person is in the presence of a parent or guardian
6 or has consumed or is consuming liquor under circumstances described in
7 subsection (4), (5), or ~~((+6+))~~ (7) of this section.

8 (3) Subsections (1) and (2)(a) of this section do not apply to
9 liquor given or permitted to be given to a person under the age of
10 twenty-one years by a parent or guardian and consumed in the presence
11 of the parent or guardian. This subsection shall not authorize
12 consumption or possession of liquor by a person under the age of
13 twenty-one years on any premises licensed under chapter 66.24 RCW.

14 (4) This section does not apply to liquor given for medicinal
15 purposes to a person under the age of twenty-one years by a parent,
16 guardian, physician, or dentist.

17 (5) This section does not apply to liquor given to a person under
18 the age of twenty-one years when such liquor is being used in
19 connection with religious services and the amount consumed is the
20 minimal amount necessary for the religious service.

21 (6) This section does not apply to liquor provided to students
22 under twenty-one years of age in accordance with a special permit
23 issued under RCW 66.20.010(12).

24 (7)(a) A person under the age of twenty-one years acting in good
25 faith who seeks medical assistance for someone experiencing alcohol
26 poisoning shall not be charged or prosecuted under subsection (2)(a) of
27 this section, if the evidence for the charge was obtained as a result
28 of the person seeking medical assistance.

29 (b) A person under the age of twenty-one years who experiences
30 alcohol poisoning and is in need of medical assistance shall not be
31 charged or prosecuted under subsection (2)(a) of this section, if the
32 evidence for the charge was obtained as a result of the poisoning and
33 need for medical assistance.

34 (c) The protection in this subsection shall not be grounds for
35 suppression of evidence in other criminal charges.

36 ~~((+7+))~~ (8) Conviction or forfeiture of bail for a violation of
37 this section by a person under the age of twenty-one years at the time

1 of such conviction or forfeiture shall not be a disqualification of
2 that person to acquire a license to sell or dispense any liquor after
3 that person has attained the age of twenty-one years.

--- END ---