

**RCW 66.28.040 Giving away of liquor prohibited—Exceptions. (1)**

Except as permitted by the board under RCW 66.20.010, or as allowed under this title, no domestic brewery, microbrewery, distributor, distiller, domestic winery, importer, rectifier, certificate of approval holder, or other manufacturer of liquor may, within the state of Washington, give to any person any liquor without charge.

(2) Nothing in this section nor in RCW 66.28.305 prevents a domestic brewery, microbrewery, distributor, domestic winery, distiller, certificate of approval holder, or importer from furnishing samples of beer, wine, or spirituous liquor to authorized licensees for the purpose of negotiating a sale, in accordance with regulations adopted by the liquor and cannabis board, provided that the samples are subject to taxes imposed by RCW 66.24.290 and 66.24.210.

(3) Nothing in this section prevents a domestic brewery, microbrewery, domestic winery, distillery, certificate of approval holder, or distributor from furnishing beer, wine, or spirituous liquor for instructional purposes under RCW 66.28.150.

(4) Nothing in this section prevents a domestic winery, certificate of approval holder, or distributor from furnishing wine without charge, subject to the taxes imposed by RCW 66.24.210, to a not-for-profit group organized and operated solely for the purpose of enology or the study of viticulture which has been in existence for at least six months and that uses wine so furnished solely for such educational purposes or a domestic winery, or an out-of-state certificate of approval holder, from furnishing wine without charge or a domestic brewery, or an out-of-state certificate of approval holder, from furnishing beer without charge, subject to the taxes imposed by RCW 66.24.210 or 66.24.290, or a domestic distiller licensed under RCW 66.24.140 or an accredited representative of a distiller, manufacturer, importer, or distributor of spirituous liquor licensed under RCW 66.24.310, from furnishing spirits without charge, to a nonprofit charitable corporation or association exempt from taxation under 26 U.S.C. Sec. 501(c)(3) or (6) of the internal revenue code of 1986 for use consistent with the purpose or purposes entitling it to such exemption.

(5) Nothing in this section prevents a domestic brewery or microbrewery from serving beer without charge, on the brewery premises.

(6) Nothing in this section prevents donations of wine for the purposes of RCW 66.12.180.

(7) Nothing in this section prevents a domestic winery from serving wine without charge, on the winery premises.

(8) Nothing in this section prevents a distillery licensed under RCW 66.24.140 or 66.24.145, or an off-site tasting room authorized under RCW 66.24.146, from providing, without charge, samples of spirits, including spirits adulterated with other alcohol entitled to be served to customers on the distillery premises or at an off-site tasting room. [2020 c 238 § 8; 2016 c 235 § 15; 2014 c 92 § 2; 2012 c 2 § 116 (Initiative Measure No. 1183, approved November 8, 2011). Prior: (2011 c 186 § 4 expired December 1, 2012); 2011 c 119 § 207; (2011 c 62 § 4 expired December 1, 2012); 2009 c 373 § 8; prior: 2008 c 94 § 6; 2008 c 41 § 12; 2004 c 160 § 11; 2000 c 179 § 1; prior: 1998 c 256 § 1; 1998 c 126 § 12; 1997 c 39 § 1; 1987 c 452 § 15; 1983 c 13 § 2; 1983 c 3 § 165; 1982 1st ex.s. c 26 § 2; 1981 c 182 § 2; 1975 1st ex.s. c 173 § 10; 1969 ex.s. c 21 § 7; 1935 c 174 § 4; 1933 ex.s. c 62 § 30; RRS § 7306-30.]

**Finding—Application—Rules—Effective date—Contingent effective date—2012 c 2 (Initiative Measure No. 1183):** See notes following RCW 66.24.620.

**Spirit sampling—Liquor store pilot project—Expiration date—2011 c 186:** See notes following RCW 66.08.050.

**Expiration date—2011 c 62:** See note following RCW 66.24.170.

**Effective date—2004 c 160:** See note following RCW 66.04.010.

**Effective date—1998 c 126:** See note following RCW 66.20.010.

**Construction—Effective dates—1987 c 452:** See RCW 15.88.900 and 15.88.901.

**Severability—Effective date—1975 1st ex.s. c 173:** See notes following RCW 66.08.050.

**Effective date—1969 ex.s. c 21:** See note following RCW 66.04.010.