

CHAPTER 126.

[H. B. 259.]

RELATING TO ISSUANCE OF PERMITS FOR WINE AND INTOXICATING LIQUORS FOR USE FOR SACRAMENTAL PURPOSES.

AN ACT providing for the issuance of permits for wine and intoxicating liquors for use for sacramental purposes, regulating the distribution thereof, and providing penalties.

*Be it enacted by the Legislature of the State of Washington:*

Wine or intoxicating liquor for sacramental purposes.

SECTION 1. No priest, minister or officer of any church, congregation or religious organization in this state authorized so to do shall apply for or receive any wine or intoxicating liquor for use for sacramental purposes by members of his congregation, without having first secured from the prosecuting attorney in the county in which said church, congregation or religious organization is established and holds its services, a permit authorizing him to receive for use by members of such organization wine or intoxicating liquors for sacramental purposes: *Provided, however,* That no such permit shall be issued until any permit required in such cases under the National Prohibition Act shall have been obtained from the Federal Prohibition Director of the district in which the applicant resides.

Application to prosecuting attorney.

Federal prohibition permit required.

SEC. 2. Every application for such permit shall be accompanied by an affidavit setting forth the location of the applicant's church, congregation or religious organization, and the names of the members thereof, the number of members of each congregant's family, if any, and the approximate wine or intoxicating liquor for use for sacramental purposes required by each congregant. The prosecuting attorney shall issue a permit authorizing the receipt of wine or intoxicating liquors for sacramental purposes by members of a church, congregation or

What application shall contain.

Prosecuting attorney to issue permit.

religious organization to any priest or minister or other officer duly authorized by such religious organization to secure the same, whenever he shall be satisfied that such wine or intoxicating liquor is in good faith intended and will be used only for sacramental purposes by the *bona fide* members of such congregation.

SEC. 3. The prosecuting attorney shall number all permits so issued consecutively and shall keep a record thereof in his office. Both the permit and the record thereof shall show the number and the date thereof, the name and address of the person to whom issued, the name of the religious organization for whose members the wine or intoxicating liquor is intended, and the place where such church, congregation or religious organization holds its services, and the amount of wine or intoxicating liquor to be received. After the issuance of the first permit to any applicant under the terms of this act, such applicant shall upon making further application for subsequent permits for any wine or intoxicating liquor for use for sacramental purposes by members of his religious organization, present to the prosecuting attorney a statement setting forth the disposition of the wine or intoxicating liquor previously received by him under the previous permit, giving the names and addresses of the members of the congregation to whom he disposed of said wine or intoxicating liquor, the quantity disposed of to each individual member, and the price received therefor, and if in the opinion of the prosecuting attorney the application of said applicant shall be for an amount of wine or intoxicating liquor in excess of the reasonable needs of the members of such religious organization, then the said prosecuting attorney may in his discretion give a permit to said applicant for such amount of wine or intoxicating liquor as to the said prosecuting attorney seems reasonable; and if

Permits to be numbered.

What record shall disclose.

Subsequent permits.

Showing to be made by applicant.

Discretion of prosecuting attorney.

there has been a violation of the terms of this act by said applicant, then such additional or subsequent permit shall not be issued.

Affidavit by members of religious organizations of disposition of liquors.

Contents of affidavit.

Affidavits and records to be preserved.

Inspection by prosecuting attorney.

Penalty.

SEC. 4. Every applicant who receives any wine or intoxicating liquor for use for sacramental purposes by the members of his religious organization shall require of each member of such religious organization desiring to use wine or intoxicating liquor for sacramental purposes an affidavit setting forth the name and address of the member, the number of members of his family, if any, the names and the dates of religious ceremonies at which he intends to use the said wine or intoxicating liquor or a portion thereof, and the quantity of wine to be used by himself or the members of his family at each of said religious ceremonies; and he shall keep said affidavit together with a complete record of all wine dispensed by him to members desiring the use of sacramental wine or intoxicating liquors for sacramental purposes in the premises occupied by the church, congregation or religious organization, which affidavits and records shall at all times be open to inspection by the prosecuting attorney; and such applicant or any member or officer of any church, congregation or religious organization is hereby prohibited from dispensing any wine or intoxicating liquor to any person other than a *bona fide* member of his religious organization.

SEC. 5. Any person convicted of violating any of the provisions of this act shall for a first offense be fined not more than one thousand (\$1,000) dollars, or imprisoned not more than six months in the county jail; and for a second or subsequent offense shall be imprisoned in the state prison not less than one year nor more than five years.

Passed the House January 2, 1926.

Passed the Senate January 5, 1926.

Approved by the Governor January 12, 1926.