

# Selling Spirits in Washington State

APRIL 2012

## Sales Involving Tribes

This document discusses how Washington's spirits taxes imposed under Revised Code of Washington (RCW) [82.08.150](#) apply to sales of spirits to federally recognized Indian tribes or to their enrolled tribal members/citizens. The application of the spirits taxes is consistent with the application of retail sales tax and other taxes to tribes and tribal members/citizens under Washington Administrative Code (WAC) [458-20-192](#).

### General application of spirits taxes

There are two types of spirits taxes: a spirits sales tax and a spirits liter tax. Both types of taxes only apply to the sale of spirits in the original container. Off-premises licensees (e.g., liquor and grocery stores) must collect these taxes from their customers on sales of spirits for off-premises consumption. On-premises licensees (e.g., restaurants, casinos, bars, clubs, etc.) must pay these taxes when purchasing spirits for their establishments for later sale by the drink.

Spirits sellers and purchasers should refer to the following fact sheets: [In-State Distillers](#), [Out-of-State Distillers \(COAs\)](#), [Distributors](#), [Off-Premises Licensees](#), [On-Premises Licensees](#), [Hotels, Motels](#) and [Documenting Spirits Sales](#).

**Spirits Sales Tax (SST):** This tax is based on the selling price of spirits in the original container.

- Spirits sales tax rate paid by the general public: 20.5%
- Spirits sales tax rate paid by on-premises licensees, such as restaurants and bars, on their purchases: 13.7%

**Spirits Liter Tax (SLT):** This tax is based on the volume of the spirits being sold in the original container.

- Spirits liter tax rate paid by the general public: \$3.7708 per liter
- Spirits liter tax rate paid by on-premises licensees, such as restaurants and bars, on their purchases: \$2.4408 per liter

## **Sales involving tribal spirits licensees in Indian country**

### *Sales to tribal on-premises licensees*

Sales of spirits delivered in Indian country to a tribal on-premises licensee (e.g., tribal casinos and restaurants), are not subject to the spirits taxes.

### *Sales to tribal off-premises licensees*

Sales of spirits to all off-premises licensees are exempt from spirits sales tax and spirits liter tax.

### *Sales by tribal off-premises licensees*

Sales of spirits by tribal off-premises licensees (e.g., a tribal retail store) located in Indian country, to the tribe and the tribe's enrolled members/citizens in their Indian country, are not subject to the spirits taxes. However, these tribal licensees must collect the spirits taxes on sales of spirits to non-Indians and non-enrolled tribal members/citizens.

## **Spirits sales outside Indian country**

Spirits sales outside Indian country are subject to spirits taxes regardless of whether the sale involves the tribes or their tribal members/citizens.

## **Sales by non-tribal spirits licensees located in Indian country**

Non-tribal spirits retailers located in Indian country must collect the spirits taxes on sales of spirits to all non-Indians and non-enrolled tribal members/citizens.

## **Documentation required for the sale of spirits**

Spirits licensees can sell spirits tax-exempt to the tribes and their tribal members/citizens in their Indian country. Documentation to support the exemption must be kept in accordance with [WAC 458-20-192](#). See also our fact sheet on [Documenting Spirits Sales](#).

*Note: This Fact Sheet only applies to spirits taxes under [RCW 82.08.150](#) and is not intended to address any other taxes.*

**TELEPHONE INFORMATION CENTER**  
**1-800-647-7706**

**[HTTP://DOR.WA.GOV/SPIRITS](http://dor.wa.gov/spirits)**

For tax assistance or to request this document in an alternate format, visit <http://dor.wa.gov> or call 1-800-647-7706. Teletype (TTY) users may call (360) 705-6718.

