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**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25762]** ( *Division 9 added by Stats. 1953, Ch. 152.* )

**CHAPTER 5. Restrictions on Issuance of Licenses [23770 - 23827]** ( *Chapter 5 added by Stats. 1953, Ch. 152.* )

**ARTICLE 2. Limitation on Number of Licensed Premises [23815 - 23827]** ( *Article 2 added by Stats. 1953, Ch. 152.* )

[23815.](#) It is hereby determined that the public welfare and morals require that there be a limitation on the number of premises licensed for the sale of distilled spirits.

(*Added by Stats. 1953, Ch. 152.*)

[23816.](#) The number of premises for which an onsale general license is issued shall be limited to one for each 2,000, or fraction thereof, inhabitants of the county in which the premises are situated. No additional onsale general licenses, other than a renewal or transfer or as permitted by Section 23821, shall be issued in any county where the number of all premises for which onsale general licenses are issued is more than one for each 2,000, or fraction thereof, inhabitants of the county. No onsale general license shall be issued in lieu of or upon the cancellation or surrender of an onsale beer and wine license.

(*Amended by Stats. 1961, Ch. 783.*)

[23817.](#) Until July 1, 1963, the number of premises for which an offsale general license is issued shall be limited to one for each 2,000, or fraction thereof, inhabitants of the county in which the premises are situated; and no additional offsale general license, other than a renewal or transfer or as permitted by Section 23821, shall be issued in any county where the number of premises for which all offsale general licenses are issued is more than one for each 2,000, or fraction thereof, inhabitants of the county.

On and after July 1, 1963, the number of premises for which an offsale general license is issued shall be limited to one for each 2,500, or fraction thereof, inhabitants of the county in which the premises are situated; and no additional offsale general license, other than a renewal or transfer or as permitted by Section 23821, shall be issued in any county where the number of premises for which all offsale general licenses are issued is more than one for each 2,500, or fraction thereof, inhabitants of the county.

(*Amended by Stats. 1961, Ch. 783.*)

[23817.4.](#) The Legislature finds and declares that the public welfare and morals require that there be a limitation on the number of premises licensed for the off sale of beer and wine.

(*Added by Stats. 1997, Ch. 564, Sec. 1. Effective January 1, 1998.*)

[23817.5.](#) (a) (1) The number of premises for which an off-sale beer and wine license is issued shall be limited to one for each 2,500, or fraction thereof, inhabitants of the city or county in which the premises are situated. No additional off-sale beer and wine license, other than a renewal or transfer or as permitted by Section 23821, shall be issued in any city or county where the number of premises for which all off-sale beer and wine licenses are issued is more than one for each 2,500, or fraction thereof, inhabitants of the city or county.

(2) The number of premises for which an off-sale beer and wine license is issued in a city and county, in combination with the number of premises for which an off-sale general license is issued in a city and county, shall be limited to one for each 1,250, or fraction thereof, inhabitants of the city and county in which the premises are situated. No additional off-sale beer and wine license, other than a renewal or transfer or as permitted by Section 23821, shall be issued in any city and county where the number of premises for which all off-sale beer and wine licenses in combination with off-sale general licenses are issued is more than one for each 1,250, or fraction thereof, inhabitants of the city and county.

(b) (1) Notwithstanding subdivision (a), a retail off-sale beer and wine replacement license may be issued at a premises that was operated under an existing off-sale beer and wine license no less than 90 days prior to the date of application for the replacement

license, provided that the existing licensee is subject to a bankruptcy proceeding and the existing licensee has no right to operate at the premises, or has abandoned the premises of that license.

(2) A replacement license shall not be issued if the existing license has been, or is in the process of being, transferred, or if the existing license has been canceled by the licensee or surrendered by the licensee pursuant to department rule.

(3) An application for a replacement license shall be accompanied by a fee equivalent to the application fee for a retail package off-sale beer and wine license and all conditions imposed upon the existing off-sale beer and wine license at the premises shall be imposed upon the replacement license.

(4) Upon issuance of the replacement license, the off-sale beer and wine license existing at the premises shall be canceled by operation of law. A replacement license shall not be transferred to another premises.

*(Amended by Stats. 2019, Ch. 29, Sec. 37. (SB 82) Effective June 27, 2019.)*

**23817.7.** (a) Notwithstanding Section 23817.5, the department may approve an application for an off-sale beer and wine license in areas covered by Section 23817.5, if the applicant shows that public convenience or necessity would be served by the issuance, and where all of the following conditions are found to exist:

(1) The applicant premises are located in a crime reporting district that is below that specified pursuant to paragraph (1) of subdivision (a) of Section 23958.4. In considering an application, the department may take into account adjacent crime reporting districts, if the applicant premises are located within 100 feet of the boundaries of any adjacent district. The department shall use an average of reported crimes in the crime reporting district in which the premises are located and reported crimes in any adjacent crime reporting district, if the total of crimes reported in the adjacent district or districts is greater than the crime reporting district in which the premises are located.

(2) The applicant premises are located in an area that falls below the concentration level provided in paragraph (3) of subdivision (a) of Section 23958.4.

(3) The local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines that public convenience or necessity would be served by the issuance.

(b) The department may impose reasonable conditions on a licensee as may be needed in the interest of the public health, safety, and welfare regarding signing, training for responsible beverage sales and hours, and mode of sale.

*(Amended by Stats. 2001, Ch. 931, Sec. 3. Effective January 1, 2002.)*

**23817.8.** (a) Notwithstanding Section 23817.5, the department may approve an application for an off-sale beer and wine license by a licensed beer and wine wholesaler, even though the applicant premises will be located in an area having an undue concentration of off-sale beer and wine licenses, as provided in paragraph (3) of subdivision (a) of Section 23958.4, provided each of the following conditions are met:

(1) The off-sale beer and wine license shall be held at the same location as the beer and wine wholesaler license.

(2) The off-sale beer and wine license shall be restricted to sales solicited and accepted by direct mail, telephone, or on-line computer. The off-sale beer and wine license shall not be used for operations conducted from a retail store open to the public.

(b) The department may impose reasonable conditions on a licensee as may be needed in the interest of the public health, safety, and welfare regarding signing, training for responsible beverage sales, hours, and mode of sale.

*(Amended by Stats. 1997, Ch. 564, Sec. 4. Effective January 1, 1998.)*

**23817.9.** For the purposes of Section 23817.5, beginning with the year 2000, population shall be determined by the most recent United States decennial census or a single subsequent census between United States decennial censuses validated by the Demographic Research Unit of the Department of Finance five years after a United States decennial census.

*(Amended by Stats. 2019, Ch. 29, Sec. 38. (SB 82) Effective June 27, 2019.)*

**23817.10.** Whenever it is made to appear to the department by satisfactory evidence that the population in any city or county has increased by more than 2,500 or multiples of 2,500 inhabitants or the population in a city and county has increased by more than 1,250 or multiples of 1,250 inhabitants since the most recent United States decennial census and if the total number of off-sale beer and wine licenses in that city, county, or city and county does not then exceed the maximum specified in Section 23817.5, the department may issue additional licenses, not to exceed one off-sale beer and wine license for each increase of 2,500 inhabitants in the city or county or for each increase of 1,250 inhabitants in the city and county since the taking of the census.

*(Added by Stats. 1997, Ch. 564, Sec. 6. Effective January 1, 1998.)*

**23818.** Population, for the purpose of Sections 23816 and 23817, shall be determined by the most recent United States decennial or special census or a subsequent census validated by the Demographic Research Unit of the Department of Finance.

*(Amended by Stats. 2019, Ch. 29, Sec. 39. (SB 82) Effective June 27, 2019.)*

**23819.** Nothing in this article authorizes the cancellation of any license which may be outstanding in any county in excess of the number authorized by the ratio established in this article, nor shall anything in this article require the issuance of any license in any county because the number of the licenses does not equal the authorized ratio.

*(Added by Stats. 1953, Ch. 152.)*

**23820.** The department may make all rules consistent with the provisions of Section 22 of Article XX of the Constitution, or the provisions of this division, necessary to carry into effect the provisions of this article, and to restrict the issuance of alcoholic beverage licenses, including seasonal licenses, but not including beer, beer and wine wholesaler's, and winegrower's licenses, to a number in any county as the department shall determine is in the interest of public welfare and morals, convenience, or necessity.

*(Amended by Stats. 1997, Ch. 564, Sec. 7. Effective January 1, 1998.)*

**23821.** Whenever it is made to appear to the department by satisfactory evidence that the population in any county has increased by more than 2,000 or multiples of 2,000 inhabitants since the most recent United States decennial or special census, and it appears to the department that by reason thereof the inhabitants of the county are unjustly and unfairly discriminated against, and if the total number of on-sale general licenses in such county do not then exceed the maximum specified in Section 23816, the department, subject to the limitation contained in Section 24070, may issue not to exceed one on-sale general license for each increase of 2,000 inhabitants in the county since the taking of the census.

Whenever it is made to appear to the department by satisfactory evidence that the population in any county has increased by more than 2,500 or multiples of 2,500 inhabitants since the most recent United States decennial or special census and it appears to the department that by reason thereof the inhabitants of the county are unjustly and unfairly discriminated against, and if the total number of off-sale general licenses in such county do not then exceed the maximum specified in Section 23817, the department, subject to the limitation contained in Section 24070, may issue not to exceed one off-sale general license for each increase of 2,500 inhabitants in the county since the taking of the census.

Before any applications for new original on-sale general or new original off-sale general or intercounty transfer of off-sale general or on-sale general licenses are accepted, the department shall publish pursuant to Section 6061 of the Government Code in the county where such new original licenses may be issued or into which off-sale general or on-sale general licenses may be transferred, notice of the department's intention to receive applications for the issuance of such new original licenses or for the intercounty transfer of off-sale general or on-sale general licenses, setting forth the date, time, manner and place of acceptance of such applications within the county. In all other respects the limitation hereinbefore provided for shall continue in effect.

*(Amended by Stats. 1969, Ch. 1466.)*

**23824.** (a) (1) Limitations provided by Section 23816 on the number of licensed premises shall not apply to premises located on land owned by and leased from the State of California, or to premises owned by the State of California, any incorporated city, county, city and county, airport district, or other district or public corporation of the State of California or to premises leased to the State of California or to any city or county, so long as the premises are operated as a bona fide public eating place, provided, however, that civic auditoriums owned by any incorporated city, county, city and county, or other district or any premises leased to the State of California or to any county or city for use as a civic auditorium and directly operated by a public entity shall be subject to the limitations provided by Section 23816, but shall not be required to be operated as a bona fide public eating place. The civic auditorium shall further not be subject to the provisions of Section 23793.

(2) An on-sale general bona fide eating place license issued pursuant to paragraph (1) for premises located on land owned by the County of Riverside and operated as the Riverside County Fairgrounds shall not be required to comply with Section 23038, except that food service shall be available to the public at all times during which the privileges of the license are being exercised.

(b) Licenses issued on premises owned by the state, incorporated city, county, city and county, airport district, or other district or public corporation of the State of California, or issued on premises leased to the State of California or to any county or city, shall be renewable as set forth in Section 24048. These licenses shall be excluded from the number of premises used in determining application of the limitations provided by this article. These licenses shall only be transferable from person to person at the same premises. Prior to the issuance of these licenses, the governmental agency owning or leasing the premises shall file with the department a written request that the license be issued and a written statement setting forth the reasons why issuance of the license would be in the public interest.

(c) A written request filed with the department by the governmental agency owning or the city or county leasing premises used as a civic auditorium and directly operated as a public entity that the license be issued need not contain a written statement setting forth the reasons why issuance of the license would be in the public interest.

*(Amended by Stats. 2024, Ch. 132, Sec. 1. (SB 1224) Effective January 1, 2025.)*

**23824.1.** (a) The provisions of Section 23824 shall apply to convention centers and event centers which are operated by municipal, independent nonprofit agencies for the purpose of providing meeting rooms, exhibit space, or event and theatrical seating, or all of these.

(b) Any license issued pursuant to this section shall be issued only upon condition that all revenues generated from the license shall be segregated and allocated for the operations and capital requirements of the convention center or event center only.

(c) For purposes of this section, "event center" means a community center, activity center, auditorium, convention center, arena, or other building, collection of buildings, or facility which is used exclusively or primarily for the holding of exhibitions, conventions, meetings, spectacles, concerts, or shows.

*(Added by Stats. 1996, Ch. 254, Sec. 1. Effective January 1, 1997.)*

**23825.** As used in this article, "onsale general license" includes a special onsale general license; provided, that the limitation prescribed in Section 23816 shall not prohibit the exchange of an onsale general license for a special onsale general license, or the exchange of a special onsale general license for an onsale general license.

*(Amended by Stats. 1963, Ch. 785.)*

**23826.** Notwithstanding any other provision of this chapter, in any county where the inhabitants number less than 2,500 and where on July 1 of any calendar year there exists in any such county none or only one on-sale general license and none or only one off-sale general license the department may issue one additional original on-sale general license and one additional original off-sale general license during the following 12-month period.

In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

A license issued pursuant to this section shall not be transferred from one county to another.

*(Added by Stats. 1967, Ch. 889.)*

**23826.2.** No new off-sale beer and wine license shall be issued in a county of the first class, as specified in Section 28022 of the Government Code, unless it is issued with conditions, pursuant to Sections 23800 and 23801, which provide that the sale of products other than beer and wine on an annual basis, measured by gross receipts, shall exceed the annual sales of beer and wine products measured by the same basis.

*(Added by Stats. 1984, Ch. 793, Sec. 1.)*

**23826.5.** Notwithstanding any other provision of this chapter, in any county of the 58th class, the department may issue three additional original off-sale general licenses.

In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

A license issued pursuant to this section shall not be transferred from one county to another.

*(Added by Stats. 1975, Ch. 407.)*

**23826.7.** Notwithstanding any other provision of this chapter, in any county where the inhabitants number less than 5,000 but more than 3,000 according to the 1970 federal census and where the major economy of that county is dependent upon the year-round use of that county's recreational facilities the department may issue five additional new original on-sale general licenses for bona fide public eating places. Any premises to qualify for a license under this section shall have a seating capacity for 100 or more diners. In no event shall more than five such licenses be issued under this section.

In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

Nothing in this chapter shall prohibit a person who currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

A license issued under this section shall not be transferred from one county to another nor shall it be transferred to any premises not qualifying under this section.

*(Added by Stats. 1975, Ch. 571.)*

**23826.8.** (a) Notwithstanding any other provision of law, the director may authorize the conversion of any on-sale general license for seasonal business to an on-sale general license if the on-sale general license for seasonal business was originally issued before May 1, 1982, or if an application for original issuance of that license was filed before May 1, 1982, or, in the case of any county of the 34th class, if the on-sale general license for seasonal business was originally issued before October 1, 1982, or if an application for original issuance of that license was filed before October 1, 1982. An application for conversion shall be accompanied by the fee for the on-sale general licenses specified in subparagraph (B) of paragraph (2) of subdivision (a) of Section 23320. The department shall not accept any applications for original issuance of an on-sale general license for seasonal business on or after January 1, 1983.

(b) An on-sale general license for seasonal business which is converted to an on-sale general license under this section may not be transferred for a period of two years from the date of issuance, except as provided in Section 24071, and except when the department determines that the transfer is necessary to prevent undue hardship. The purchase price or consideration that may be paid by a transferee or received by a transferor of an on-sale general license created by conversion under this section shall not exceed six thousand dollars (\$6,000), except that after a period of five years from the date of issuance of the license there shall be no restriction as to the purchase price or consideration that may be paid by a transferee or received by a transferor.

*(Amended by Stats. 2019, Ch. 29, Sec. 41. (SB 82) Effective June 27, 2019.)*

**23826.9.** (a) Notwithstanding any other provision of this chapter, in any county of the 56th class, the department may issue 10 additional new original on-sale general licenses for bona fide public eating places. Any premises to qualify for a license under this section shall have a seating capacity for 50 or more diners. In no event shall more than 10 on-sale general licenses for bona fide eating places be issued under this section.

(b) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

(c) Nothing in this chapter shall prohibit a person who currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(d) A license issued under this section shall not be transferred from one county to another nor shall it be transferred to any premises not qualifying under this section.

*(Added by Stats. 2007, Ch. 193, Sec. 1. Effective January 1, 2008.)*

**23826.10.** (a) (1) Notwithstanding any other provision of this chapter, in any county of the 29th class, commencing January 1, 2009, the department may issue five additional new original on-sale general licenses for bona fide public eating places per year, for a period of three years. Any premises to qualify for a license under this paragraph shall have a seating capacity for 50 or more diners. In no event shall more than 15 on-sale general licenses for bona fide eating places be issued under this paragraph.

(2) Notwithstanding any other provision of this chapter, in any county of the 29th class, the department, in addition to those licenses issued pursuant to paragraph (1), may issue no more than a total of five additional new original on-sale general licenses for bona fide public eating places from January 1, 2017, to December 31, 2017, inclusive. Any premises to qualify for a license under this paragraph shall have a seating capacity for 25 or more diners.

(3) Notwithstanding any other provision of this chapter, in any county of the 29th class, commencing January 1, 2018, in addition to those licenses issued pursuant to paragraphs (1) and (2), the department may issue five additional new original on-sale general licenses for bona fide public eating places per year, for a period of four years. Any premises to qualify for a license under this paragraph shall have a seating capacity for 25 or more diners. In no event shall more than 20 on-sale general licenses for bona fide eating places be issued under this paragraph.

(4) Notwithstanding any other provision of this chapter, in any county of the 29th class, commencing January 1, 2021, in addition to those licenses issued pursuant to paragraphs (1) to (3), inclusive, the department may issue 10 additional new original on-sale general licenses for bona fide public eating places per year, for a period of five years. Any premises to qualify for a license under this paragraph shall have a seating capacity for 25 or more diners.

(b) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

(c) Nothing in this chapter shall prohibit a person who currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(d) (1) A license issued under this section shall not be transferred from one county to another nor shall it be transferred to any premises not qualifying under this section.

(2) A license issued under paragraph (3) or paragraph (4) of subdivision (a) on and after January 1, 2021, shall not be sold or transferred for a price greater than the original fee paid by the seller or transferor.

(e) The department may designate licenses issued pursuant to this section as on-sale general for special use. This designation does not alter any license privileges or restrictions established by this section.

*(Amended by Stats. 2020, Ch. 53, Sec. 1. (AB 2459) Effective January 1, 2021.)*

**23826.11.** (a) Notwithstanding any other provision of this chapter, in any county of the 18th class the department may issue five additional new original on-sale general licenses for bona fide public eating places per year, until January 1, 2016. To qualify for a license under this section the premises upon which a bona fide public eating place is operated shall have a seating capacity for 50 or more diners. Not more than a total of 15 on-sale general licenses shall be issued under this section.

(b) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

(c) This chapter does not prohibit a person who currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(d) A license issued under this section shall not be transferred from one county to another nor shall it be transferred to any premises not qualifying under this section.

*(Added by Stats. 2012, Ch. 467, Sec. 1. (AB 1320) Effective January 1, 2013.)*

**23826.12.** (a) Notwithstanding any other provision of this chapter, in any county of the 24th class, the department may issue no more than a total of five additional new original on-sale general licenses for bona fide public eating places from January 1, 2014, to December 31, 2016, inclusive. To qualify for a license under this section, the premises upon which a bona fide public eating place is operated shall have a seating capacity for 50 or more diners.

(b) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

(c) This chapter does not prohibit a person who currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(d) A license issued under this section shall not be transferred from one county to another, nor shall it be transferred to any premises not qualifying under this section.

*(Amended by Stats. 2014, Ch. 71, Sec. 13. (SB 1304) Effective January 1, 2015.)*

**23826.13.** (a) Notwithstanding this chapter, in any county of the sixth class, the department may issue no more than a total of five new original neighborhood-restricted special on-sale general licenses to premises located in any of the census tracts listed in subdivision (b) per year beginning on January 1, 2017, until a total of 40 new licenses authorized by this section are issued.

(b) To qualify for a license issued pursuant to this section, the premises for which the license would apply shall be located within one of the following United States Bureau of Census census tracts, corresponding to those identified within the 2020 Census, located within the City and County of San Francisco, subject to the following limitations:

(1) United States Bureau of the Census census tract 612000, 232000, 234000, 233000, or 230030. No more than a total of 10 neighborhood-restricted special on-sale general licenses shall be concurrently held at premises located within all of these tracts.

(2) United States Bureau of the Census census tract 258000 or 257020. No more than a total of four neighborhood-restricted special on-sale general licenses shall be concurrently held at premises located within all of these tracts.

(3) United States Bureau of the Census census tract 264030. No more than a total of two neighborhood-restricted special on-sale general licenses shall be concurrently held at premises located within this tract.

(4) United States Bureau of the Census census tract 255010, 255020, 256000, 260020, 260010, 260040, 261000, or 263010. No more than a total of 10 neighborhood-restricted special on-sale general licenses shall be concurrently held at premises located within all of these tracts.

(5) United States Bureau of the Census census tract 309000, 310000, or 312010. No more than a total of four neighborhood-restricted special on-sale general licenses shall be concurrently held at premises located within all of these tracts.

(6) United States Bureau of the Census census tract 330010, 330020, 329010, 328010, 353000, or 354000. No more than a total of five neighborhood-restricted special on-sale general licenses shall be concurrently held at premises located within all of these tracts.

(7) United States Bureau of the Census census tract 328020, 329020, 351010, 351020, 352010, or 352020. No more than a total of five neighborhood-restricted special on-sale general licenses shall be concurrently held at premises located within all of these tracts.



(c) In issuing the licenses pursuant to this section, the department shall follow the procedure set forth in Section 23961. A license shall not be issued pursuant to this section to an applicant until any existing on-sale licenses issued to the applicant for the same premises are canceled.

(d) (1) A person who currently holds an on-sale general license for a premises, who currently holds any interest in an on-sale general license for a premises, who has held an on-sale general license for a premises within the 12 months before the date of the drawing required by Section 23961, or who has held any interest in an on-sale general license for a premises within the 12 months before the date of the drawing required by Section 23961, shall not apply for a license issued pursuant to this section for that licensed premises.

(2) In addition to the other requirements of this section, an application for a neighborhood-restricted on-sale general license shall be subject to all the requirements that apply to an on-sale general license for a bona fide eating place.

(e) (1) A license issued pursuant to this section shall not be transferred between counties.

(2) Except as provided in paragraphs (3) and (4), a license issued pursuant to this section shall not be transferred to any other premises.

(3) Paragraph (2) shall not apply to any licensee whose premises have been destroyed as a result of fire or any act of God or other force beyond the control of the licensee, for whom the provisions of Section 24081 shall apply.

(4) The department may allow a license issued pursuant to this section to be transferred within the same neighborhood, as described in paragraphs (1) to (7), inclusive, of subdivision (b).

(5) A license issued pursuant to this section shall not be transferred to any person, partnership, limited partnership, limited liability company, or corporation. This provision shall not apply to licenses transferred under Section 24071, 24071.1, or 24071.2.

(f) Following the cancellation or revocation of a license issued pursuant to this section, the department may issue one additional new original neighborhood-restricted special on-sale general license following the procedure set forth in Section 23961 and the provisions of this section.

(g) A person that holds a neighborhood-restricted special on-sale general license issued pursuant to this section shall not exchange that license for an on-sale license for public premises.

(h) Except as specified herein, a neighborhood-restricted special on-sale general license may exercise all of the privileges, and is subject to all the restrictions, of an on-sale general license for a bona fide eating place.

(i) (1) Commencing January 1, 2025, subject to paragraph (2), a licensee may exercise off-sale privileges pursuant to Sections 23401 and 23401.5. This section does not limit the authority of the department to impose conditions on a license pursuant to Article 1.5 (commencing with Section 23800).

(2) The holder of a neighborhood restricted special on-sale general license issued before January 1, 2025, shall not exercise off-sale privileges pursuant to Section 23401 and 23401.5 unless the department approves a petition submitted by the licensee requesting to exercise off-sale privileges. If the department determines that good cause exists to deny the petition, in whole or in part, the department shall endorse the prohibition or other restriction as a condition on the license, which is subject to Article 1.5 (commencing with Section 23800). The licensee may make a written request for hearing on the denial of a petition in the same manner as provided in Section 23805.

(j) The department shall adopt rules and regulations to enforce this section.

*(Amended by Stats. 2024, Ch. 393, Sec. 1. (AB 2359) Effective January 1, 2025.)*

**23826.14.** (a) Notwithstanding any other provision of this chapter, in the County of Inyo, the department may issue no more than a total of five additional new original on-sale general licenses for bona fide public eating places, public premises, or both from January 1, 2017, to December 31, 2019, inclusive. To qualify for a license under this section, the premises upon which a bona fide public eating place is operated shall have a seating capacity for 50 or more diners.

(b) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

(c) This chapter does not prohibit a person that currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(d) A license issued under this section shall not be transferred from one county to another, nor shall it be transferred to any premises not qualifying under this section.

*(Added by Stats. 2016, Ch. 256, Sec. 1. (AB 1558) Effective January 1, 2017.)*

**23826.15.** (a) Notwithstanding any other provision of this chapter, in the County of Mariposa, the department may issue no more than a total of 10 additional new original on-sale general licenses for bona fide public eating places. To qualify for a license under

this section, the premises upon which a bona fide public eating place is operated shall have a seating capacity for 50 or more diners.

(b) The Board of Supervisors of the County of Mariposa, by resolution, may specify the maximum number of licenses to be issued under this section in any year, not to exceed five. Such a resolution shall be effective for one year and shall be adopted and submitted to the department no later than July 1 of the year to which the resolution applies. The department shall not issue more than five licenses under this section per year. In the event that the board of supervisors fails to submit a resolution under this subdivision by July 1 of any year, the department may issue any licenses that have not been issued under this section during that year.

(c) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

(d) This chapter does not prohibit a person that currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(e) (1) A license issued under this section shall not be transferred from one county to another, nor shall it be transferred to any premises not qualifying under this section.

(2) A license issued under this section shall not be sold or transferred for a price greater than the original fee paid by the seller or transferor.

(f) The department may designate licenses issued pursuant to this section as on-sale general for special use. This designation does not alter any license privileges or restrictions established by this section.

*(Added by Stats. 2020, Ch. 53, Sec. 2. (AB 2459) Effective January 1, 2021.)*

**23826.16.** (a) Notwithstanding any other provision of this chapter, in the County of El Dorado, the department may issue no more than a total of 10 additional new original on-sale general licenses for bona fide public eating places. The department shall not issue more than four licenses under this section per year.

(b) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

(c) This chapter does not prohibit a person that currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(d) (1) A license issued under this section shall not be transferred from one county to another, nor shall it be transferred to any premises not qualifying under this section.

(2) A license issued under this section shall not be sold or transferred for a price greater than the original fee paid by the seller or transferor.

(e) The department may designate licenses issued pursuant to this section as on-sale general for special use. This designation does not alter any license privileges or restrictions established by this section.

*(Added by Stats. 2022, Ch. 889, Sec. 1. (SB 1452) Effective January 1, 2023.)*

**23826.17.** (a) Notwithstanding any other provision of this chapter, in the County of Shasta, the department may issue no more than a total of 10 additional new original on-sale general licenses for bona fide public eating places. The department shall not issue more than four licenses under this section per year.

(b) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

(c) This chapter does not prohibit a person that currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(d) (1) A license issued under this section shall not be transferred from one county to another, nor shall it be transferred to any premises not qualifying under this section.

(2) A license issued under this section shall not be sold or transferred for a price greater than the original fee paid by the seller or transferor.

(e) The department may designate licenses issued pursuant to this section as on-sale general for special use. This designation does not alter any license privileges or restrictions established by this section.

*(Added by Stats. 2022, Ch. 889, Sec. 2. (SB 1452) Effective January 1, 2023.)*

**23826.18.** (a) Notwithstanding any other provision of this chapter, in the County of Nevada, the department may issue no more than a total of 10 additional new original on-sale general licenses for bona fide public eating places. The department shall not issue more than four licenses under this section per year.

(b) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.



(c) This chapter does not prohibit a person that currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(d) (1) A license issued under this section shall not be transferred from one county to another, nor shall it be transferred to any premises not qualifying under this section.

(2) A license issued under this section shall not be sold or transferred for a price greater than the original fee paid by the seller or transferor.

(e) The department may designate licenses issued pursuant to this section as on-sale general for special use. This designation does not alter any license privileges or restrictions established by this section.

*(Added by Stats. 2023, Ch. 113, Sec. 1. (SB 787) Effective January 1, 2024.)*

**23826.19.** (a) Notwithstanding any other provision of this chapter, in the County of Placer, the department may issue no more than a total of 10 additional new original on-sale general licenses for bona fide public eating places. The department shall not issue more than four licenses under this section per year.

(b) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

(c) This chapter does not prohibit a person that currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(d) (1) A license issued under this section shall not be transferred from one county to another, nor shall it be transferred to any premises not qualifying under this section.

(2) A license issued under this section shall not be sold or transferred for a price greater than the original fee paid by the seller or transferor.

(e) The department may designate licenses issued pursuant to this section as on-sale general for special use. This designation does not alter any license privileges or restrictions established by this section.

*(Added by Stats. 2023, Ch. 282, Sec. 1. (AB 1668) Effective January 1, 2024.)*

**23826.20.** (a) For purposes of this section, "retail center" means a multitenant shopping center that contains at least 300,000 square feet of retail shopping space open to the public.

(b) (1) Notwithstanding any other provision of this chapter, the department may issue no more than a total of 10 additional new original on-sale general licenses for bona fide public eating places in the County of El Dorado, and a total of 10 additional new original on-sale general licenses for bona fide public eating places in the County of Placer.

(A) The department shall not issue more than four licenses under this section, per county, in the first year after this section takes effect.

(B) To qualify for a license under this section, the premises upon which a bona fide public eating place is operated shall be located in a retail center. The department shall issue at least three of the licenses authorized by this section, per county, for a premises located in a retail center that contains at least 1,000,000 square feet of retail shopping space open to the public.

(C) A licensee that holds an on-sale general license for a bona fide public eating place that is in a retail center shall not be eligible to apply for a license under this section for the same licensed premises.

(2) A county board of supervisors may submit a resolution to the department by July 1 of any year in which licenses authorized by this section have not been issued that further restricts the maximum number of licenses that may be issued in that county pursuant to paragraph (1). If the county board of supervisors does not submit a resolution, the department may issue any licenses that have not been issued.

(c) In issuing any license pursuant to this section, the department shall follow the procedure set forth in Section 23961.

(d) This chapter does not prohibit a person that currently holds a valid on-sale general license for seasonal business from applying for an original on-sale general license pursuant to this section.

(e) (1) A license issued under this section shall not be transferred from one county to another, nor shall it be transferred to any premises not qualifying under this section.

(2) A license issued under this section shall not be sold or transferred for a price greater than the original fee paid by the seller or transferor.

(f) The department may designate licenses issued pursuant to this section as on-sale general for special use. This designation does not alter any license privileges or restrictions established by this section.

(g) Following the cancellation or revocation of a license issued under this section, the department may issue one additional license pursuant to the procedures set forth in Section 23961 and this section.

*(Added by Stats. 2024, Ch. 312, Sec. 1. (AB 2589) Effective January 1, 2025.)*

**23827.** (a) Notwithstanding any other provision of this chapter, in any county where the inhabitants number less than 7,000 and where the major economy of that county is dependent upon tourism and the continual use of that county's recreational facilities, the department may issue four additional new original on-sale general licenses for bona fide public eating places. Any premises to qualify for a license under this section shall have a seating capacity for 100 or more diners. In no event shall more than four such licenses be issued under this section.

(b) In issuing the licenses provided for in this section, the department shall follow the procedure set forth in Section 23961.

(c) A license issued pursuant to this section shall not be transferred from one county to another, nor shall it be transferred to any premises not qualifying under this section.

*(Amended by Stats. 2024, Ch. 230, Sec. 1. (AB 3285) Effective January 1, 2025.)*