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AB-1322 Alcoholic beverages: licenses: beauty salons and barber shops. (2015-2016)

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Assembly Bill No. 1322

CHAPTER 741

An act to amend Section 23399.5 of the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor September 28, 2016. Filed with Secretary of State September 28, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1322, Daly. Alcoholic beverages: licenses: beauty salons and barber shops.

Existing law makes it unlawful for any person other than a licensee of the Department of Alcoholic Beverage Control to sell, manufacture, or import alcoholic beverages in this state. Existing law allows the serving of alcohol without a license or permit in a limousine or as part of a hot air balloon ride service, provided there is no extra charge or fee for the alcoholic beverages.

This bill would additionally allow the serving of beer or wine without a license as part of a beauty salon or barber shop service if specified requirements are met, including that there be no extra charge or fee for the beer or wine, the license of the establishment providing the service is in good standing, and the servings are limited to specified amounts.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 23399.5 of the Business and Professions Code is amended to read:

23399.5. (a) (1) A license or permit is not required for the serving of alcoholic beverages in a limousine by any person operating a limousine service regulated by the Public Utilities Commission, provided there is no extra charge or fee for the alcoholic beverages.

(2) For purposes of this subdivision, there is no extra charge or fee for the alcoholic beverages when the fee charged for the limousine service is the same regardless of whether alcoholic beverages are served.

(b) (1) A license or permit is not required for the serving of alcoholic beverages as part of a hot air balloon ride service, provided there is no extra charge or fee for the alcoholic beverages.

(2) For purposes of this subdivision, there is no extra charge or fee for the alcoholic beverages when the fee charged for the hot air balloon ride service is the same regardless of whether alcoholic beverages are served.

(c) A license or permit is not required for the serving of wine or beer as part of a beauty salon service or barber shop service if the following requirements are met:

(1) There is no extra charge or fee for the beer or wine. For purposes of this paragraph, there is no extra charge or fee for the beer or wine if the fee charged for the beauty salon service or barber shop service is the same regardless of whether beer or wine is served.

(2) The license of the establishment providing the beauty salon service or barber shop service is in good standing with the State Board of Barbering and Cosmetology.

(3) No more than 12 ounces of beer or six ounces of wine by the glass is offered to a client.

(4) The beer or wine is provided only during business hours and in no case later than 10 p.m.

(5) Nothing in this subdivision shall be construed to limit the authority of a city or city and county to restrict or limit the consumption of alcoholic beverages, as described in this subdivision, pursuant to Section 23791.