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SB-325 Alcoholic beverages. (2015-2016)

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Senate Bill No. 325

CHAPTER 257

An act to amend Sections 23055 and 23428.13 of the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor September 03, 2015. Filed with Secretary of State September 03, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 325, Hall. Alcoholic beverages.

(1) Under existing law, the Alcoholic Beverage Control Act is administered by the Department of Alcoholic Beverage Control. Existing law requires the Director of Alcoholic Beverage Control, on or before March 1 of each year, to make an annual report to the Legislature on the department's activities and to post the report on its Internet Web site.

This bill would instead require the department to provide the report upon request of the Legislature.

(2) Existing law, the Alcoholic Beverage Control Act, provides for the issuance of a club license that allows a licenseholder to exercise all of the rights and privileges permitted to an on-sale general license subject to specified exceptions and limitations, including a requirement that the club be a nonprofit and have at least 100 members. Existing law allows the issuance of club licenses to clubs operated by common carriers by air at an airport terminal.

This bill would provide that the restrictions relating to nonprofit status and number of members do not apply to club licenses issued to clubs operated by common carriers by air at an airport terminal.

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

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

SECTION 1. Section 23055 of the Business and Professions Code is amended to read:

23055. (a) Notwithstanding Section 10231.5 of the Government Code, upon request from the Legislature, the director shall prepare and submit to the Legislature a report on the department's activities and post the report on the department's Internet Web site. The report shall include, but not be limited to, the following information for any previous fiscal year requested by the Legislature:

- (1) The amount of funds allocated and spent by the department for licensing, enforcement, and administration.
- (2) The number of licenses issued, renewed, denied, suspended, and revoked, by license category.
- (3) The average time for processing license applications, by license category.

(4) The number and type of enforcement activities conducted by the department and by local law enforcement agencies in conjunction with the department.

(5) The number, type, and amount of penalties, fines, and other disciplinary actions taken by the department.

(b) The report submitted to the Legislature shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 2. Section 23428.13 of the Business and Professions Code is amended to read:

23428.13. For purposes of this article, "club" also means any club operated by a common carrier by air at an airport terminal. This type of club shall qualify for a license under this article notwithstanding the provisions of Section 23037. The provisions of Sections 23399, 23434, and 23435 and the numerical limitation of Section 23430 shall not apply to this type of club.