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AB-1088 Licensed craft distillers: direct shipping. (2023-2024)

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Assembly Bill No. 1088

CHAPTER 829

An act to amend Section 23504.5 of the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor October 13, 2023. Filed with Secretary of State October 13, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1088, Blanca Rubio. Licensed craft distillers: direct shipping.

Existing law, the Alcoholic Beverage Control Act, which is administered by the Department of Alcoholic Beverage Control, regulates the application, issuance, and suspension of alcoholic beverage licenses. Existing law provides for the licensure and regulation of craft distillers and prohibits issuance of a craft distiller's license to any person, or any officer, director, employee, or agent of a person, among others, who manufactures more than 150,000 gallons of distilled spirits per year within or without the state, as specified. Existing law, until January 1, 2024, authorizes a licensed craft distiller to directly ship distilled spirits manufactured or produced by the licensee at its premises to a consumer pursuant to specified requirements.

This bill would extend, until January 1, 2025, the authorization for a licensed craft distiller to directly ship distilled spirits.

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

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

SECTION 1. Section 23504.5 of the Business and Professions Code is amended to read:

23504.5. (a) Notwithstanding any other provision of this division to the contrary, a licensed craft distiller may directly ship distilled spirits manufactured or produced by the licensee at its premises to a consumer only if they comply with all of the following requirements:

- (1) The amount shipped shall not exceed the equivalent of 2.25 liters in any combination of prepackaged containers per day per consumer and shall be solely for the consumer's personal use and not for resale.
- (2) The licensed craft distiller shall maintain adequate records of the shipments and provide those records to the department upon request.
- (3) The licensed craft distiller shall require the common carrier to obtain the signature of any individual 21 years of age or older before delivering any distilled spirits shipped to an individual in this state.
- (4) The containers in which the distilled spirits are shipped shall be conspicuously labeled with the words: "CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 YEARS OR OLDER REQUIRED FOR DELIVERY."

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.