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**AB-2589 Alcoholic beverages: additional licenses: County of El Dorado and County of Placer.** (2023-2024)

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**Assembly Bill No. 2589**

**CHAPTER 312**

An act to add Section 23826.20 to the Business and Professions Code, relating to alcoholic beverages.

[ Approved by Governor September 20, 2024. Filed with Secretary of State September 20, 2024. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2589, Joe Patterson. Alcoholic beverages: additional licenses: County of El Dorado and County of Placer.

Existing law, the Alcoholic Beverage Control Act, administered by the Department of Alcoholic Beverage Control, regulates the sale and distribution of alcoholic beverages and the granting of licenses for the manufacture, distribution, and sale of alcoholic beverages within the state. Existing law limits the amount of on-sale general licenses that may be issued by the department based on the population of the county in which the licensed premises are located.

Existing law provides various exceptions to the limitation described above, including authorizing the issuance of up to 10 additional new original on-sale general licenses for bona fide public eating places in the County of Placer. Existing law prohibits the department from issuing more than 4 of these licenses per year. Existing law requires the department to follow specified procedures concerning the issuance of these licenses, and authorizes the department to designate these licenses as on-sale general for special use. Existing law specifies that a person holding a valid on-sale general license for seasonal business is not prohibited from applying for licenses to be issued pursuant to this authorization. Existing law prohibits these licenses from being, among other things, transferred from one county to another.

This bill would authorize the department to issue, except as specified, up to a total of 10 additional new original on-sale general licenses for bona fide public eating places, up to 4 in the first year the bill takes effect, in the County of El Dorado and in the County of Placer, to premises where the operation of a bona fide public eating place is located in a retail center, as defined. The bill would require the department to issue at least 3 of these licenses for a premises located in a retail center that contains at least 1,000,000 square feet of retail shopping space, as specified. If one of those licenses is canceled or revoked, the bill would authorize the department to issue an additional license. The bill would require the department to follow specified procedures concerning the issuance of these licenses, and would authorize the department to designate these licenses as on-sale general for special use. The bill would also specify that a person holding a valid on-sale general license for seasonal business is not prohibited from applying for licenses to be issued pursuant to this authorization. The bill would prohibit licenses issued under its provisions from being, among other things, transferred from one county to another.

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

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

**SECTION 1.** Section 23826.20 is added to the Business and Professions Code, to read:

**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.