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SB-1224 Alcoholic beverage control: on-sale general license: County of Riverside. (2023-2024)

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Senate Bill No. 1224

CHAPTER 132

An act to amend Section 23824 of the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor July 15, 2024. Filed with Secretary of State July 15, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1224, Ochoa Bogh. Alcoholic beverage control: on-sale general license: County of Riverside.

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. The act 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, as provided. Existing law makes various exceptions to this limitation, including for premises located on land 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 provided that the premises are operated as a bona fide public eating place, except as specified.

This bill would specify that the exception described above does not require on-sale general bona fide eating place licensed premises located on land owned by the County of Riverside and operated as the Riverside County Fairgrounds to be operated as a bona fide public eating place, except as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Riverside.

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

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

SECTION 1. Section 23824 of the Business and Professions Code is amended to read:

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.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique operation of the Riverside County Fairgrounds to be more inclusive of small businesses, encouraging greater small business opportunities within the community and providing significant opportunities for small businesses to participate in all events held at the fairgrounds by utilizing community food trucks to provide food services for events held at the fairgrounds. In order to allow the County of Riverside to continue to foster further engagement and participation of small businesses in fairground events and reduce the operational expenses of the fairgrounds, it is necessary that the Riverside County Fairgrounds be allowed to obtain an on-sale general license without the need to utilize the kitchen facilities for all events held at the fairgrounds.