

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011—12 REGULAR SESSION

ASSEMBLY BILL

No. 573

Introduced by Assembly Member Chesbro

February 16, 2011

An act to amend Section ~~25503.7~~ 23661.6 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 573, as amended, Chesbro. Alcoholic beverages: ~~tied-house restrictions—wine exports and returns.~~

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 permits a licensed winegrower, who in the course of business exports wine from California to another state, to subsequently return to his or her licensed premises all or any portion of that wine in private vehicles owned or under the control of the winegrower, subject to certain tax provisions.

This bill would also allow for the return of wine exported out of state, to be returned in the same manner by a holder of a beer and wine wholesaler's license and an off-sale retail license that sells only wine. The bill would additionally make technical, nonsubstantive changes to those provisions.

~~Existing provisions of the Alcoholic Beverage Control Act, known as "tied-house" restrictions, generally prohibit manufacturers, winegrowers, bottlers, importers, wholesalers, and others from performing certain activities, with specified exceptions. Existing law~~

~~allows any winegrower, beer manufacturer, or beer and wine wholesaler to serve food and alcoholic beverages to any person, including an alcoholic beverage licensee and his or her employees and representatives, who is attending a meeting held upon or who is visiting the premises of the winegrower or beer manufacturer.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 23661.6 of the Business and Professions
2 Code is amended to read:

3 23661.6. (a) A licensed winegrower, or a holder of a beer and
4 wine wholesaler’s license and an off-sale retail license that sells
5 only wine, who in the course of business exports wine from this
6 State state to another state, may subsequently return to his or her
7 licensed premises in this State state all or any portion of such that
8 wine in private vehicles owned or under the control of the
9 winegrower, or a holder of beer and wine wholesaler’s license
10 and an off-sale retail license that sells only wine. ~~Any wine so~~
11 ~~returned shall be subject to the provisions of Section 32175 of the~~
12 ~~Revenue and Taxation Code.~~

13 (b) *The provisions of Section 32175 of the Revenue and Taxation*
14 *Code shall apply to any wine so returned.*

15 SECTION 1. Section 25503.7 of the Business and Professions
16 Code is amended to read:

17 25503.7. ~~A winegrower, beer manufacturer, or beer and wine~~
18 ~~wholesaler may serve food and alcoholic beverages to any person,~~
19 ~~including a person licensed under this division and his or her~~
20 ~~employees and representatives, who is attending a meeting held~~
21 ~~upon or who is visiting the premises of the winegrower, the beer~~
22 ~~manufacturer, or the beer and wine wholesaler.~~

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