

Assembly Bill No. 573

Passed the Assembly August 30, 2012

Chief Clerk of the Assembly

Passed the Senate August 9, 2012

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 25504.5 and 25511 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL’S DIGEST

AB 573, Chesbro. Alcoholic beverages: tied-house restrictions.

The Alcoholic Beverage Control Act contains limitations on sales commonly known as “tied-house” restrictions, which generally prohibit a manufacturer, winegrower, manufacturer’s agent, California winegrower’s agent, rectifier, distiller, bottler, importer, or wholesaler from furnishing, giving, or lending any money or other thing of value to any person engaged in operating, owning, or maintaining any off-sale licensed premises. Existing law exempts from specified tied-house restrictions the occasional inspection and cleaning by beer manufacturers and wholesalers of beer taps and tapping equipment, as provided. Existing law also permits a beer manufacturer or beer wholesaler to furnish, give, rent, lend, or sell, any equipment, fixtures, or supplies, other than alcoholic beverages, to a retailer whose equipment, fixtures, or supplies were lost or damaged as a result of a natural disaster, as provided.

This bill would expand these exemptions from tied-house restrictions to include all alcoholic beverage manufacturers and wholesalers.

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

SECTION 1. Section 25504.5 of the Business and Professions Code is amended to read:

25504.5. The provisions of Sections 25500 to 25503, inclusive, and of Section 25600 do not apply to the occasional inspection and cleaning by manufacturers and wholesalers of taps and tapping equipment installed in retail on-sale premises.

SEC. 2. Section 25511 of the Business and Professions Code is amended to read:

25511. Notwithstanding any other provision of this division, a manufacturer or wholesaler, or any officer, director, or agent of

any of those persons may furnish, give, rent, lend, or sell, directly or indirectly, any equipment, fixtures, or supplies, other than alcoholic beverages, to a retailer whose equipment, fixtures, or supplies were lost or damaged as a result of a natural disaster and whose premises are located in an area proclaimed to be in a state of disaster by the Governor.

This section does not apply to transactions that occur three months or more after the Governor proclaims an area to be in a state of disaster.

Nothing in this section is intended to affect or otherwise limit Section 23104.1, 23104.2, or 23104.3.

Approved _____, 2012

Governor