

AMENDED IN SENATE APRIL 9, 2012

**SENATE BILL**

**No. 1429**

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**Introduced by Senator Evans**

February 24, 2012

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An act to amend Section ~~1719~~ of the Code of Civil Procedure, 25503.5 of the Business and Professions Code, relating to ~~judgments~~ *alcoholic beverages*.

LEGISLATIVE COUNSEL'S DIGEST

SB 1429, as amended, Evans. ~~Judgments: foreign-country money judgments.~~ *Alcoholic beverages: instruction: tastings.*

*The Alcoholic Beverage Control Act permits a winegrower or distilled spirits manufacturer, or its authorized agent, to instruct consumers on the subject of wine or distilled spirits subject to specified provisions, including that the winegrower or distilled spirits manufacturer remove any unfinished alcoholic beverages.*

*This bill would revise the provision requiring the removal of unfinished alcoholic beverages by the winegrower or distilled spirits manufacturer.*

~~The Uniform Foreign-Country Money Judgments Recognition Act provides a procedure for recognition of a foreign-country judgment that grants or denies recovery of a sum of money and that is final, conclusive, and enforceable under the law of the foreign country where rendered, with specified exceptions. If a court finds that the foreign-country judgment is entitled to recognition, then the judgment is both conclusive between the parties and enforceable in California, as specified.~~

~~This bill would make a technical, nonsubstantive change to these provisions.~~

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

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

1     *SECTION 1. Section 25503.5 of the Business and Professions*

2     *Code is amended to read:*

3     25503.5. (a) A winegrower, beer manufacturer, or a beer and  
 4 wine wholesaler may, without charge, instruct licensees and their  
 5 employees, or conduct courses of instruction for licensees and  
 6 their employees, on the subject of wine or beer, including but not  
 7 limited to, the history, nature, values, and characteristics of wine  
 8 or beer, the use of wine lists, and the methods of presenting and  
 9 serving wine or beer. The winegrower, beer manufacturer, or beer  
 10 and wine wholesaler may furnish wine or beer and the equipment,  
 11 materials and utensils that may be required for use in connection  
 12 with the instruction or courses of instruction.

13     (b) A distilled spirits manufacturer, distilled spirits  
 14 manufacturer's agent, distilled spirits general rectifier, or distilled  
 15 spirits general importer may, without charge, instruct licensees  
 16 and their employees, or conduct courses of instruction for licensees  
 17 and their employees, on the subject of distilled spirits, including,  
 18 but not limited to, the history, nature, values, and characteristics  
 19 of distilled spirits, and the methods of presenting and serving  
 20 distilled spirits. The distilled spirits manufacturer or distilled spirits  
 21 manufacturer's agent may furnish distilled spirits and the  
 22 equipment, materials, and utensils that may be required for use in  
 23 connection with the instruction or courses of instruction.

24     (c) A winegrower or distilled spirits manufacturer, or its  
 25 authorized agent, may instruct consumers at an on-sale retail  
 26 licensed premises authorized to sell its product with the permission  
 27 of the retail on-sale licensee. The instruction may include, without  
 28 limitation, the history, nature, values, and characteristics of the  
 29 product and the methods of presenting and serving the product.  
 30 The instruction of consumers may include the furnishing of not  
 31 more than three tastings to any individual in one day. A single  
 32 tasting of distilled spirits may not exceed one-fourth of one ounce  
 33 and a single tasting of wine may not exceed one ounce. ~~The~~ *Upon*  
 34 *concluding the instruction, the* winegrower or distilled spirits  
 35 manufacturer, or its authorized agent shall remove any unfinished

1 alcoholic beverages that he or she provided ~~following~~ *during* the  
2 instruction. Nothing in this subdivision shall limit the giving away  
3 of samples pursuant to subdivision (a) of Section 23386.

4 (d) The instruction or courses of instruction, authorized in  
5 subdivision (a) or (b), may be given at the premises of the  
6 winegrower, beer manufacturer, beer and wine wholesaler, distilled  
7 spirits manufacturer, distilled spirits manufacturer's agent, distilled  
8 spirits general rectifier, distilled spirits general importer or of a  
9 licensee, including an on-sale retail licensee, or elsewhere.

10 SECTION 1. ~~Section 1719 of the Code of Civil Procedure is~~  
11 ~~amended to read:~~

12 ~~1719. If the court in a proceeding under Section 1718 finds~~  
13 ~~that the foreign-country judgment is entitled to recognition under~~  
14 ~~this chapter then, to the extent that the foreign-country judgment~~  
15 ~~grants or denies recovery of a sum of money, the foreign-country~~  
16 ~~judgment is both:~~

17 ~~(a) Conclusive between the parties to the same extent as the~~  
18 ~~judgment of a sister state entitled to full faith and credit in this~~  
19 ~~state would be conclusive.~~

20 ~~(b) Enforceable in the same manner and to the same extent as~~  
21 ~~a judgment rendered in this state.~~