

**Introduced by Senator Roth**

January 17, 2013

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An act to amend Section 172g of the Penal Code, relating to intoxicating liquors, and declaring the urgency thereof, to take effect immediately.

## LEGISLATIVE COUNSEL'S DIGEST

SB 120, as introduced, Roth. Intoxicating liquors.

Existing law makes it a misdemeanor to sell, or expose for sale, any intoxicating liquor within one mile of the entrance to La Sierra College in the City of Riverside, as provided. A person who violates this provision is subject to a fine of not less than \$100, imprisonment in a county jail of not less than 50 days nor more than one year, or both that fine and imprisonment.

This bill would reduce that distance to one-half mile.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . 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 172g of the Penal Code is amended to  
2 read:

3 172g. 4—(a) Every person who, within one *one-half* mile by  
4 air line from the intersection of Sierra Vista, Pierce, and Campus  
5 Drive streets at the entrance to La Sierra College in the City of  
6 Riverside, or within one mile of the grounds or campus of Loma  
7 Linda University in the County of San Bernardino, or within one

1 mile of the grounds of the University of Santa Clara in the City of  
2 Santa Clara, sells, or exposes for sale, any intoxicating liquor, is  
3 guilty of a misdemeanor, and upon conviction thereof shall be  
4 punished by a fine of not less than one hundred dollars (\$100), or  
5 by imprisonment in the county jail of not less than 50 days nor  
6 more than one year, or by both ~~such~~ *that* fine and imprisonment  
7 in the discretion of the court.

8 2.

9 (b) The provisions of this section shall not apply to the sale or  
10 exposing or offering for sale of ale, porter, wine, similar fermented  
11 malt or vinous liquor or fruit juice containing one-half of 1 percent  
12 or more of alcohol by volume and not more than 3.2 percent of  
13 alcohol by weight nor the sale or exposing or offering for sale of  
14 beer.

15 3.

16 (c) Distances provided in this section shall be measured not by  
17 air line but by following the shortest road or roads connecting the  
18 points in question except those applying to La Sierra College.

19 SEC. 2. This act is an urgency statute necessary for the  
20 immediate preservation of the public peace, health, or safety within  
21 the meaning of Article IV of the Constitution and shall go into  
22 immediate effect. The facts constituting the necessity are:

23 In order to preserve the public peace, health, and safety by  
24 stimulating local economic development at the earliest possible  
25 time, it is necessary that this act take effect immediately.

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