

AMENDED IN ASSEMBLY SEPTEMBER 11, 2015

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1189

Introduced by Assembly Member Bigelow

February 27, 2015

An act to amend Section ~~23055~~ 24045.75 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 1189, as amended, Bigelow. Department of Alcoholic Beverage Control: ~~report~~: *special on-sale general license: for-profit theater*.

Under existing law, the Alcoholic Beverage Control Act is administered by the Department of Alcoholic Beverage Control through the Director of Alcoholic Beverage Control. ~~Existing law requires the director to make an annual report to the Legislature on the department's activities, on or before March 1 of each year. Existing law authorizes the department to issue a special on-sale general license to the operator of any for-profit theater located within the City and County of San Francisco, as specified. Existing law prohibits that special on-sale general license from being issued until any existing licenses issued by the department to the operator for the premises of the for-profit theater are canceled.~~

~~This bill would instead require the director to make that report by November 1 of each even calendar year.~~

This bill would delete that prohibition.

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

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

1 SECTION 1. Section 24045.75 of the Business and Professions
2 Code is amended to read:

3 24045.75. (a) ~~(1)~~—The department may issue a special on-sale
4 general license to the operator of any for-profit theater located
5 within the City and County of San Francisco, configured with
6 theatrical seating of at least 1,000 seats and primarily devoted to
7 live theatrical performances.

8 ~~(2) A special on-sale general license described by this section
9 shall not be issued until any existing licenses issued by the
10 department to the operator for the premises of the for-profit theater
11 are canceled.~~

12 (b) The special on-sale general license shall permit sales, service,
13 and consumption of alcoholic beverages in the lobbies and seating
14 areas of the theater for the period beginning two consecutive hours
15 prior to a live theatrical performance and ending one hour after
16 the live theatrical performance is completed, subject to Section
17 25631. Any special on-sale general license issued pursuant to this
18 section shall be subject to the limitations provided by Section
19 23816, but shall not be required to be operated as a bona fide public
20 eating place. The theater further shall not be subject to the
21 provisions of Section 23793.

22 (c) For purposes of this section, “for-profit theater” shall not
23 include an adult or sexually oriented business, as defined in Section
24 318.5 of the Penal Code.

25 SECTION 1. ~~Section 23055 of the Business and Professions
26 Code is amended to read:~~

27 ~~23055. (a) On or before November 1 of each even calendar
28 year, the director shall prepare and submit to the Legislature a
29 report on the department’s activities and post the report on the
30 department’s Internet Web site. The report shall include, but not
31 be limited to, the following information for relevant fiscal years:~~

32 ~~(1) The amount of funds allocated and spent by the department
33 for licensing, enforcement, and administration.~~

34 ~~(2) The number of licenses issued, renewed, denied, suspended,
35 and revoked, by license category.~~

36 ~~(3) The average time for processing license applications, by
37 license category.~~

1 ~~(4) The number and type of enforcement activities conducted~~
2 ~~by the department and by local law enforcement agencies in~~
3 ~~conjunction with the department.~~

4 ~~(5) The number, type, and amount of penalties, fines, and other~~
5 ~~disciplinary actions taken by the department.~~

6 ~~(b) A report to the Legislature pursuant to this section shall be~~
7 ~~submitted in compliance with Section 9795 of the Government~~
8 ~~Code.~~

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