

AMENDED IN SENATE JUNE 20, 2016

AMENDED IN ASSEMBLY APRIL 15, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1322

**Introduced by Assembly Member Daly
(Coauthor: Assembly Member Wilk)**

February 27, 2015

An act to amend Section 23399.5 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 1322, as amended, Daly. Alcoholic beverages: licenses: beauty salons and barber shops.

Existing law makes it unlawful for any person other than a licensee of the Department of Alcoholic Beverage Control to sell, manufacture, or import alcoholic beverages in this state. Existing law allows the serving of alcohol without a license or permit in a limousine or as part of a hot air balloon ride service, provided there is no extra charge or fee for the alcoholic beverages.

This bill would additionally allow the serving of beer or wine without a license as part of a beauty salon or barber shop service if specified requirements are met, including that there be no extra charge or fee for the beer or wine, the license of the establishment providing the service is in good standing, and the servings are limited to specified amounts.

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 23399.5 of the Business and Professions
2 Code is amended to read:

3 23399.5. (a) (1) A license or permit is not required for the
4 serving of alcoholic beverages in a limousine by any person
5 operating a limousine service regulated by the Public Utilities
6 Commission, provided there is no extra charge or fee for the
7 alcoholic beverages.

8 (2) For purposes of this subdivision, there is no extra charge or
9 fee for the alcoholic beverages when the fee charged for the
10 limousine service is the same regardless of whether alcoholic
11 beverages are served.

12 (b) (1) A license or permit is not required for the serving of
13 alcoholic beverages as part of a hot air balloon ride service,
14 provided there is no extra charge or fee for the alcoholic beverages.

15 (2) For purposes of this subdivision, there is no extra charge or
16 fee for the alcoholic beverages when the fee charged for the hot
17 air balloon ride service is the same regardless of whether alcoholic
18 beverages are served.

19 (c) A license or permit is not required for the serving of beer or
20 wine as part of a beauty salon service or barber shop service if the
21 following requirements are met:

22 (1) There is no extra charge or fee for the beer or wine. For
23 purposes of this paragraph, there is no extra charge or fee for the
24 beer or wine if the fee charged for the beauty salon service or
25 barber shop service is the same regardless of whether beer or wine
26 is served.

27 (2) The license of the establishment providing the beauty salon
28 service or barber shop service is in good standing with the State
29 Board of Barbering and Cosmetology.

30 (3) No more than 12 ounces of beer or six ounces of wine by
31 the glass is offered to a client.

32 (4) The beer or wine is provided only during business hours and
33 in no case later than 10 p.m.

34 (5) *Nothing in this subdivision shall be construed to limit the*
35 *authority of a city or city and county to restrict or limit the*

1 *consumption of alcoholic beverages, as described in this*
2 *subdivision, pursuant to Section 23791.*

O