

Assembly Bill No. 2135

Passed the Assembly April 28, 2016

Chief Clerk of the Assembly

Passed the Senate August 1, 2016

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 23300.1 to the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2135, Levine. Alcoholic beverages: revenue sharing.

Existing law, the Alcoholic Beverage Control Act, which is administered by the Department of Alcoholic Beverage Control, regulates the application, issuance, and suspension of alcoholic beverage licenses. Existing law establishes specified types of alcoholic beverage licenses and prescribes the rights and duties of the respective licensees. Existing law prohibits a person from exercising a privilege or performing any act for which a license is required, and a violation of this prohibition a misdemeanor or a felony, as specified.

This bill would specify that a written agreement regarding the sharing or splitting of gross revenue from the sale of alcoholic beverages between a licensee and a district agricultural association, the California Exposition and State Fair, a county fair, or a citrus fruit fair, in connection with the sale of alcoholic beverages during a state or county fair is not the exercise of a license privilege or performance of an act for which a license is required, except as specified.

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

SECTION 1. Section 23300.1 is added to the Business and Professions Code, to read:

23300.1. (a) A written agreement regarding the sharing or splitting of gross revenue from the sale of alcoholic beverages between a licensee and a district agricultural association, the California Exposition and State Fair, a county fair, or a citrus fruit fair, in connection with the sale of alcoholic beverages during a state or county fair is not the exercise of a license privilege or performance of an act for which a license is required, unless the agreement, or any other related agreement or understanding, results

in an unlicensed person exercising control or undue influence over a licensee or the operation of a licensed business.

(b) Notwithstanding subdivision (a), all other provisions of this division shall apply to the written agreement.

Approved _____, 2016

Governor