

## Assembly Bill No. 2739

### CHAPTER 187

An act to amend Section 24045.75 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 25, 2016. Filed with  
Secretary of State August 25, 2016.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2739, Chiu. Department of Alcoholic Beverage Control: 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 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 delete that prohibition.

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

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

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

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

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

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

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

In order to ensure the fair and efficient application of the alcoholic beverage control licensing laws with respect to for-profit theaters within the City and County of San Francisco, it is necessary that this act take effect immediately.