

Introduced by Senator Hall

February 23, 2015

An act to amend ~~Section 23055~~ *Sections 23055 and 23428.13* of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

SB 325, as amended, Hall. Alcoholic beverages.

~~Under~~

(1) *Under* existing law, the Alcoholic Beverage Control Act is administered by the Department of Alcoholic Beverage Control. Existing law requires the Director of Alcoholic Beverage Control, on or before March 1 of each year, to make an annual report to the Legislature on the department's activities and to post the report on its Internet Web site.

~~This bill would change the due date of the report to March 31. instead require the department to provide the report upon request of the Legislature.~~

(2) *Existing law, the Alcoholic Beverage Control Act, provides for the issuance of a club license that allows a licenseholder to exercise all of the rights and privileges permitted to an on-sale general license subject to specified exceptions and limitations, including a requirement that the club be a nonprofit and have at least 100 members. Existing law allows the issuance of club licenses to clubs operated by common carriers by air at an airport terminal.*

This bill would provide that the restrictions relating to nonprofit status and number of members do not apply to club licenses issued to clubs operated by common carriers by air at an airport terminal.

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

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

1 SECTION 1. Section 23055 of the Business and Professions
 2 Code is amended to read:
 3 23055. ~~On or before March 31 of each year,~~
 4 *(a) Notwithstanding Section 10231.5 of the Government Code,*
 5 *upon request from the Legislature, the director shall prepare and*
 6 *submit to the Legislature an annual a report on the department's*
 7 *activities and post the report on the department's Internet Web*
 8 *site. The report shall include, but not be limited to, the following*
 9 *information for the any previous fiscal year: year requested by the*
 10 *Legislature:*
 11 ~~(a)~~
 12 *(1) The amount of funds allocated and spent by the department*
 13 *for licensing, enforcement, and administration.*
 14 ~~(b)~~
 15 *(2) The number of licenses issued, renewed, denied, suspended,*
 16 *and revoked, by license category.*
 17 ~~(c)~~
 18 *(3) The average time for processing license applications, by*
 19 *license category.*
 20 ~~(d)~~
 21 *(4) The number and type of enforcement activities conducted*
 22 *by the department and by local law enforcement agencies in*
 23 *conjunction with the department.*
 24 ~~(e)~~
 25 *(5) The number, type, and amount of penalties, fines, and other*
 26 *disciplinary actions taken by the department.*
 27 *(b) The report submitted to the Legislature shall be submitted*
 28 *in compliance with Section 9795 of the Government Code.*
 29 SEC. 2. Section 23428.13 of the Business and Professions Code
 30 is amended to read:
 31 23428.13. For purposes of this ~~article~~ *article*, "club" also means
 32 any club operated by a common carrier by air at an airport terminal.
 33 ~~Such~~ *This type of club shall qualify for a license under this article*
 34 *notwithstanding the provisions of Section 23037. The provisions*
 35 ~~of Section 23399 Sections 23399, 23434, and 23435 and the~~

1 numerical limitation of Section 23430 shall not apply to such a
2 *this type of* club.
3 ~~Nothing contained in Section 23434 shall be deemed to preclude~~
4 ~~the issuance of a license to the acquiring or surviving corporation~~
5 ~~when a corporation holding a license pursuant to this section is an~~
6 ~~acquired or constituent corporation in a corporate reorganization.~~

O