

AMENDED IN ASSEMBLY JUNE 14, 2016
AMENDED IN ASSEMBLY APRIL 20, 2016
AMENDED IN ASSEMBLY JANUARY 5, 2016
AMENDED IN ASSEMBLY JUNE 11, 2015

SENATE BILL

No. 683

Introduced by Senator Wolk
(Principal coauthor: Assembly Member Dodd)

February 27, 2015

An act to add Section 23786 to the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

SB 683, as amended, Wolk. Alcoholic beverage licenses: nonprofit sales license.

Existing law, the Alcoholic Beverage Control Act, regulates the application for, the issuance of, the suspension of, and the conditions imposed upon, various alcoholic beverage licenses pursuant to which the licensees may exercise specified privileges in the state. Existing law authorizes the specified licenses to nonprofit organizations, as provided. Existing law also provides for various annual fees for the issuance of alcoholic beverage licenses depending upon the type of license issued.

This bill would authorize the Department of Alcoholic Beverage Control to issue a special nonprofit sales license to a nonprofit mutual benefit corporation, as described, that would authorize the licensee to, among other things, accept the transfer of, and take title to, ~~alcoholic beverages up to 20,000 gallons of wine per year~~ produced by the public university, as described, and sell ~~transferred, donated, and bequeathed~~

~~alcoholic beverages transferred wine~~ to consumers and licensees, as provided. The bill would impose an original fee and an annual renewal fee for the license, which would be deposited in the Alcohol Beverage Control Fund.

This bill would make legislative findings and declarations as to the necessity of a special statute for a county of the 28th class.

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 23786 is added to the Business and
2 Professions Code, to read:
3 23786. (a) The department may issue a special nonprofit sales
4 license to a nonprofit mutual benefit corporation, as described in
5 Section 23701a of the Revenue and Taxation Code, that has a
6 board membership composed of the Dean of the College of
7 Agricultural and Environmental Sciences, or his or her designee,
8 the Chair of the Department of Viticulture and Enology, or his or
9 her designee, and the Chair of the Department of Food Science
10 and Technology, or his or her designee, of the public university
11 located within the county of the 28th class that includes courses
12 ~~in viticulture, enology, brewing, and distilling~~ *viticulture and*
13 *enology* in its curriculum.
14 (b) A special nonprofit sales license authorizes the licensee to
15 do all of the following:
16 (1) Accept the transfer of, and take title to, ~~alcoholic beverages~~
17 *up to 20,000 gallons of wine per year* produced by the public
18 university described in subdivision (a), notwithstanding that the
19 public university does not hold any license issued pursuant to this
20 division. For purposes of this section, “produced” includes
21 ~~alcoholic beverages wine~~ donated to, or purchased by, the public
22 university for educational or experimental purposes and that are
23 thereafter treated or processed by the public university.
24 ~~(2) Accept donations or bequests of bottled alcoholic beverages~~
25 ~~from any unlicensed person.~~
26 ~~(3)~~
27 (2) Sell ~~alcoholic beverages wine~~ received pursuant to
28 ~~paragraphs (1) and (2)~~ *paragraph (1)* to consumers for consumption
29 off the licensed premises or to other licensees authorized to sell

1 ~~the alcoholic beverages sold. A bottle of an alcoholic beverage~~
2 ~~sold by the licensee shall have a permanently affixed label stating~~
3 ~~that the alcoholic beverage was donated or bequeathed to the~~
4 ~~licensee by an unlicensed person or was received from a public~~
5 ~~university. *wine*.~~

6 ~~(4)~~

7 (3) Accept donations of services and products, excluding
8 ~~alcoholic beverages, *wine, promotion, and advertising*~~, from any
9 licensee. The donating licensee may donate services and products
10 notwithstanding any other provision of this division.

11 ~~(5)~~

12 (4) Give licensees samples of the ~~alcoholic beverages~~ *wine* it
13 sells, subject to the limitations in subdivision (a) of Section 23386
14 and any department regulations.

15 (c) The special nonprofit sales license does not authorize the
16 licensee to purchase or otherwise obtain ~~alcoholic beverages~~ *wine*
17 from a licensee or other manufacturer or seller of ~~alcoholic~~
18 ~~beverages, *wine*~~, except as specified in this section.

19 ~~(d) (1) An unlicensed person may donate or bequeath alcoholic~~
20 ~~beverages to a special nonprofit sales licensee.~~

21 ~~(2)~~

22 (d) A public university, as described in subdivision (a), may
23 transfer ~~alcoholic beverages~~ *wine* produced by the public university
24 to a special nonprofit sales licensee.

25 (e) The original fee for the special nonprofit sales license shall
26 be five hundred dollars (\$500) and the annual renewal fee shall be
27 one hundred dollars (\$100). The original and annual renewal fee
28 may be adjusted pursuant to subdivisions (b) and (c) of Section
29 23320.

30 SEC. 2. The Legislature finds and declares that a special law
31 is necessary and that a general law cannot be made applicable
32 within the meaning of Section 16 of Article IV of the California
33 Constitution because of the unique conditions in a county of the
34 28th class.