

ASSEMBLY BILL

No. 315

Introduced by Assembly Member Granlund

February 14, 1997

An act to amend Section 25503.2 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 315, as introduced, Granlund. Alcoholic beverages: tied-house restrictions.

Existing provisions of the Alcoholic Beverage Control Act known as "tied-house" restrictions generally prohibit manufacturers, winegrowers, bottlers, importers, wholesalers, and others from performing certain activities, with specified exceptions. Existing law allows any winegrower, wine blender, beer manufacturer, brandy manufacturer, distilled spirits manufacturer, distilled spirits manufacturer's agent, rectifier, distilled spirits wholesaler, and beer and wine wholesaler, or their authorized agents, to perform certain services for off-sale retail licensees at or on the premises of the off-sale retail licensee with the licensee's permission relating to stacking, rotating, servicing, and taking inventory of stock.

This bill would allow these same services to be provided to any retail licensee.

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

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

1 SECTION 1. Section 25503.2 of the Business and
2 Professions Code is amended to read:

3 ~~25503.2. Anything in this division to the contrary~~
4 ~~notwithstanding~~ *Notwithstanding any other provision in*
5 *this division,* any winegrower, wine blender, beer
6 manufacturer, brandy manufacturer, distilled spirits
7 manufacturer, distilled spirits manufacturer's agent,
8 rectifier, distilled spirits wholesaler, and beer and wine
9 wholesaler, or the authorized agent or agents or
10 representative or representatives of ~~any such~~ *that*
11 licensee, may perform any of the following services for
12 ~~off-sale~~ retail licensees at or on the premises of the ~~off-sale~~
13 retail licensee with ~~such~~ *the* retail licensee's permission:

14 (a) Stack or arrange cases of the brand or brands of
15 alcoholic beverages ~~he the retailer~~ owns or sells in the
16 storeroom or warehouse where the ~~off-sale~~ retail licensee
17 stores ~~such the~~ brand or brands.

18 (b) Rotate the brand or brands ~~he the retailer~~ owns or
19 sells on shelves and in refrigerated boxes, and rearrange
20 bottles or packages of ~~such the~~ brand or brands by moving
21 ~~such the~~ bottles or packages horizontally or vertically
22 from shelf to shelf in the space and shelves allocated to
23 ~~such the~~ brand or brands; ~~provided that this shall.~~ *This*
24 *subdivision does* not permit the removal of any brand or
25 brands of alcoholic beverages, except beer, which ~~he the~~
26 *retailer* owns or sells from the storeroom or other place
27 belonging to ~~an off-sale a~~ retailer for the purpose of
28 replacing alcoholic beverages on or restocking shelves or
29 refrigerated boxes.

30 (c) Take an inventory of ~~an off-sale a~~ retailer's stock of
31 a brand or brands of alcoholic beverages which ~~he the~~
32 *retailer* owns or sells and which are in the stockroom or
33 other place belonging to ~~such off-sale the~~ retailer.

34 (d) Service the brand or brands of alcoholic beverages
35 ~~he the retailer~~ owns and sells which are on shelves,
36 fixtures, or other display pieces at the ~~off-sale~~ retail
37 premises, including, but not limited to, dusting bottles
38 and shelves and refrigerated boxes allocated to ~~such the~~



1 brand or brands at ~~such~~ *the* retail premises. The licensees
2 authorized to render services by this section and their
3 agents and representatives may not price-mark
4 individual containers of the brand of alcoholic beverages,
5 except beer, owned or sold by ~~such~~ *the* licensee, except
6 for individual bottles used on floor displays.

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