

Date of Hearing: June 8, 2016

ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION

Adam Gray, Chair

SB 1105 (Mendoza) – As Introduced February 17, 2016

SENATE VOTE: 37-0

SUBJECT: Alcoholic beverage licensees: restrictions

SUMMARY: Repeals a provision of the Alcoholic Beverage Control Act (Act) which prohibits the issuance of a license, other than an on-sale beer license, for premises situated in the vicinity of work camp areas, as specified, containing men engaged in the construction, repair, or operation of any work, improvement, or utility of a public or quasi-public character.

EXISTING LAW:

- 1) Establishes the Department of Alcoholic Beverage Control (ABC) and grants it exclusive authority to administer the provisions of the ABC Act in accordance with laws enacted by the Legislature. This involves licensing individuals and businesses associated with the manufacture, importation and sale of alcoholic beverages in this state and the collection of license fees for this purpose.
- 2) Prohibits the issuance of a license, other than an on-sale beer license, for premises situated more than one mile outside the limits of an incorporated city and within 2 miles of any camp or establishment of men, numbering 25 or more, engaged upon or in connection with the construction, repair, or operation of any work, improvement, or utility of a public or quasi-public character.
- 3) Provides that this provision does not apply to the renewal of any licenses for any premises which have been established and licensed at least six months prior to the establishment of the camp or establishment of men, and such licenses, whether held by the original licensee to whom first issued or a subsequent holder thereof, shall be subject to transfer as to person and premises, or either, in the same manner as any other license of the same type and character issued by ABC.
- 4) Defines an “on-sale” license as authorizing the sale of all types of alcoholic beverages namely, beer, wine and distilled spirits, for consumption on the premises (such as at a restaurant or bar). An “off-sale” license authorizes the sale of all types of alcoholic beverages for consumption off the premises in original, sealed containers.

FISCAL EFFECT: According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

COMMENTS:

Purpose of the bill: According to the author’s office, this bill is simply intended to repeal an obsolete provision of law and clean-up the Act. Existing law prohibits the issuance of a license, other than an on-sale beer license, for premises situated more than one mile outside the limits of an incorporated city and within 2 miles of any camp or establishment of men, numbering 25 or

more, engaged upon or in connection with the construction, repair, or operation of any work, improvement, or utility of a public or quasi-public character.

The author's office notes that at the time this statute was enacted in 1935, the Legislature's sentiment was that the sale of liquor and wine near work camp areas should not be allowed. It was believed that allowing such sales would invite public drunkenness and lewd behavior in the vicinity of these camps and contribute to diminished productivity by workers.

REGISTERED SUPPORT / OPPOSITION:

Support

California Beer and Beverage Distributors

Opposition

None on file

Analysis Prepared by: Eric Johnson / G.O. / (916) 319-2531