

**California Department of Alcoholic  
Beverage Control**

**2009 Summary of  
Chaptered Legislation**

## Sections Affected by 2009 Chaptered Legislation

<b>Section</b>	<b>Subject</b>	<b>Bill Number</b>
23356.2	Home winemakers and brewers	AB 1164
23390	Winegrowers or brandy manufacturer' branch offices	AB 1470
23396.5	Removal of opened wine bottle	AB 1470
24013	Protests	SB 825
24045.4	Special temporary off-sale general license	AB 1164
24045.6	Special temporary on- or off-sale wine license	AB 1164
24071	Surviving spouse; corporations; fiduciaries	AB 1059
25176	Refilling	SB 825
25503.31	Tied-house restrictions: S.F. Symphony (Urgency/ Effective November 2, 2009)	SB 131
25503.42	Tied-house restrictions: Club Nokia (Urgency/ Effective November 5, 2009)	AB 813
25600	Free goods (Urgency/Effective October 11, 2009)	AB 1282
25608	Sales on public school grounds	AB 1448
25658.4	Retail off-sale clerk acknowledgment	AB 176
25660	Documentary evidence of age and identity	AB 59 AB 1191

Below is a summary of changes made to the Alcoholic Beverage Control (ABC) Act by legislation chaptered in 2009. All changes, except as noted, took effect on January 1, 2010.

**AB 59 (Jeffries, Chapter 405, Statutes of 2009)** amended section 25660 to delete the requirement that military identification used to purchase or consume alcoholic beverages contain a physical description and prohibits requiring further proof of age if it includes a date of birth and photo.

**AB 176 (Silva, Chapter 88, Statutes of 2009)** was a maintenance of the codes bill. It amended section 25658.4 regarding attempts to purchase by a minor to make technical, clarifying changes.

**AB 813 (J.A. Perez, Chapter 647, Statutes of 2009)** added section 25503.42 to make a tied-house exception to allow alcoholic beverage suppliers to purchase indoor advertising at Club Nokia in Los Angeles. AB 813 contained an urgency clause and took effect on November 5, 2009.

**AB 1059 (Silva, Chapter 500, Statutes of 2009)** was a maintenance of the codes bill related to federal bankruptcy law. It amended section 24071 to make technical, clarifying changes.

**AB 1164 (Tran, Chapter 140, Statutes of 2009)** amended sections 23356.2, 24045.4 and 24045.6 to make technical, clarifying changes.

**AB 1191 (Conway, Chapter 142, Statutes of 2009)** amended section 25660 to authorize U.S. and foreign passports to be used as identification to purchase or consume alcoholic beverages.

**AB 1282 (Hall Chapter 521, Statutes of 2009)** amended section 25600 to extend to out-of-state brewers, shippers and importers, the authority to give away consumer advertising specialties valued at up to \$3. It also expressly prohibits manufacturers from requiring wholesalers to fund the purchase of these items. AB 1282 contained an urgency clause and took effect on October 11, 2009.

**AB 1448 (Berryhill, Chapter 399, Statutes of 2009)** amended section 25608 to allow alcoholic beverages at events held at a Stanislaus County Office of Education retreat facility operated during weekends or at other times when pupils are not on the grounds.

**AB 1470 (G.O. Committee, Chapter 535, Statutes of 2009)** amended sections 23390 and 23396.5 to: 1) remove the prohibition against licensed winegrowers or brandy manufacturers from selling wine for consumption at a branch office, essentially extending wine-by-the-glass Type 02 privileges to a duplicate license; 2) permit, rather than require, the Department to issue a duplicate license to a winegrower or brandy manufacturer for locations other than his or her wine production or brandy manufacture premises; 3) remove provisions related to forthwith issuance of a duplicate license; and,

3) authorize an on-sale beer and wine public premises licensee to allow a customer to remove a purchased and partially-consumed bottle of wine from the premises.

**SB 131 (Wiggins and Yee, Chapter 638, Statutes of 2009)** added section 25503.31 to make a tied-house exception for the San Francisco Symphony to receive monetary and alcoholic beverage contributions from alcoholic beverage licensees. SB 131 contained an urgency clause and took effect on November 2, 2009. It will sunset on December 31, 2014.

**SB 825 (G.O. Committee, Chapter 68, Statutes of 2009)** amended section 24013 to make clarifying and conforming changes related to notification requirements and the submission of protests for an alcohol license application, and amended 25176 to remove outdated language related to tax stamps.