

**California Department of Alcoholic
Beverage Control**

**2012 Summary of
Chaptered Legislation**

ABC Act Sections Affected by 2012 Chaptered Legislation

<u>ABC Act Section</u>	<u>Subject</u>	<u>Bill Number</u>	<u>Effective</u>
494.5	ABC Act Technical Cleanup	SB 937	
23006	Beer	AB 1812	
23050	New Agency	SB 1039	7/1/13
23075	New Agency	SB 1039	7/1/13
23083.5	ABC Act Technical Cleanup	SB 937	
23104.2	Beer Returns	SB 1393	
23320	ABC Act Technical Cleanup	SB 937	
23393.5	ABC Act Technical Cleanup	SB 937	
23393.5	Maintenance of the Codes	SB 1171	
23396.6	ABC Act Technical Cleanup	SB 937	
23405.2	Revised Uniform Limited Liability Act	SB 323	1/1/14
23426.5	Common Interest Developments	AB 806	1/1/14
23428.20	Common Interest Developments	AB 806	1/1/14
23800	ABC Act Technical Cleanup	SB 937	
23817.5	ABC Act Technical Cleanup	SB 937	
23826.11	Marin County, Priority Licenses	AB 1320	
23958.4	ABC Act Technical Cleanup	SB 937	
24016	ABC Act Technical Cleanup	SB 937	
24045.11	ABC Act Technical Cleanup	SB 937	
24079	ABC Act Technical Cleanup	SB 937	
24210	ABC Act Technical Cleanup	SB 937	
24300	ABC Act Technical Cleanup	SB 937	
25500.1	Tied-House: Direct Inquiries	AB 2349	
25500.2	Tied House: Direct Inquiries	AB 2349	
25502.2	Tied-House: Bottle Autographings	AB 2184	
25503.29	ABC Act Technical Cleanup	SB 937	
25503.32	Tied-House: Napa Valley Opera House	SB 1531	
25503.37	ABC Act Technical Cleanup	SB 937	
25503.42	ABC Act Technical Cleanup	SB 937	
25503.56	Maintenance of the Codes	SB 1171	
25504.5	Tied-House: Tapping Equipment	AB 573	
25511	Tied-House: Tapping Equipment	AB 573	
25600.1	Contests and Sweepstakes	SB 778	
25600.2	Contests and Sweepstakes	SB 778	
25600.5	Party Bill Expansion	AB 252	
25762	Trial Courts: Restructuring, Bail forfeiture	AB 1529	

AB 45 (Hill D) Charter-party carriers of passengers: alcoholic beverages: open containers.

Chapter No.: 461

Introduced: 12/6/2010

Summary:

This bill requires a charter-party carrier of passengers to ask the chartering party at the time transportation service is prearranged or the contract of carriage is made (1) if alcoholic beverages will be served by the chartering party or be transported in the passenger compartment of the vehicle during transportation, and (2) if any member of the party will be under 21 years of age. If a member of the party will be under 21 years of age, the bill requires the chartering party to name a designee 25 years of age or older to be present on the party bus or limousine to, among other things, ensure that no one under 21 years of age consumes alcohol.

Laws:

An act to amend Section 5384.5 of, to add Section 5355.5 to, and to repeal and add Section 5384.1 of, the Public Utilities Code, and to amend Section 23229.1 of, and to add Section 40000.20 to, the Vehicle Code, relating to charter-party carriers of passengers.

AB 252 (Calderon, Charles D) Alcoholic beverage control: licensees.

Chapter No.: 153

Introduced: 2/3/2011

Summary:

This bill permits a distilled spirits manufacturer's agent to provide entertainment, food, wine, distilled spirits, and ground transportation free of charge to consumers during events held at locations operating under caterer's authorizations.

Laws:

An act to amend Section 25600.5 of the Business and Professions Code.

AB 573 (Chesbro D) Alcoholic beverages: tied-house restrictions.

Chapter No.: 367

Introduced: 2/16/2011

Last Amended: 6/15/2012

Summary:

This bill makes the sections of the ABC Act that provide authority for manufacturers and wholesalers to furnish and service equipment at on-sale retail licensed premises consistent for all manufacturers and wholesalers.

Laws:

An act to amend Sections 25504.5 and 25511 of the Business and Professions Code.

AB 806 (Torres D) Common interest developments.

Chapter No.: 181

Last Amended: 1/4/2012

Summary:

The Davis-Stirling Common Interest Development Act provides for the creation and regulation of common interest developments. This bill, operative January 1, 2014, makes various technical conforming changes to reflect a revision and recodification of the Davis-Stirling Common Interest Development Act.

Laws:

An act to amend various codes including 23426.5 and 23428.20 of the Business and Professions Code.

AB 1320 (Allen D) Alcoholic beverages: licenses.

Chapter No.: 467

Introduced: 2/18/2011

Last Amended: 6/11/2012

Summary:

This bill authorizes ABC to issue five (5) additional on-sale general public eating place licenses (Type 47) in Marin County per year for three years until January 1, 2016.

Laws:

An act to add Section 23826.11 to the Business and Professions Code.

AB 1529 (Dickinson D) Trial courts: restructuring and bail forfeiture.

Chapter No.: 470

Introduced: 1/23/2012

Last Amended: 5/3/2012

Summary:

This bill modifies provisions of law to reflect trial court restructuring.

Laws:

An act to amend various codes including Section 25762 of the Business and Professions Code.

AB 1812 (Chesbro D) Alcoholic beverages: beer.

Chapter No.: 96

Introduced: 2/21/2012

Last Amended: 3/27/2012

Summary:

This bill revises the definition of "beer" to provide that beer aged in empty wooden barrels that previously contained wine or distilled spirits shall be defined exclusively as "beer" and shall not be considered a dilution or mixture of any other alcoholic beverage.

Laws:

An act to amend Section 23006 of the Business and Professions Code.

AB 2184 (Hall D) Alcoholic beverages: tied-house restrictions.

Chapter No.: 480

Introduced: 2/23/2012

Last Amended: 8/9/2012

Summary:

This bill authorizes alcoholic beverage suppliers, until January 1, 2016, to hire celebrities to sign autographs at promotional events held at off-sale retail licensed premises, as specified.

Laws:

An act to add and repeal Section 25502.2 of the Business and Professions Code.

AB 2349 (Nestande R) Alcoholic beverages: tied-house restrictions: advertising.

Chapter No.: 374

Introduced: 2/24/2012

Last Amended: 8/9/2012

Summary:

This bill allows alcohol manufacturers and wholesalers to list the names, addresses, telephone numbers, e-mail addresses, Internet web site addresses or other electronic media of two or more unaffiliated on-sale retailers selling their beer, wine, distilled spirits or brandy in response to direct inquiries from consumers. Under current law manufacturers and wholesalers are only allowed to respond to consumer inquiries about on-sale licensees that are bona fide public eating places. This bill allows them to respond to direct inquiries about any on-sale licensees that sell their products.

Laws:

An act to amend and renumber Section 25500.2 of, and to repeal Section 25500.1, of the Business and Professions Code.

SB 323 (Vargas D) California Revised Uniform Limited Liability Company Act.

Chapter No.: 419

Introduced: 2/14/2011

Last Amended: 8/29/2012

Summary:

Current law, the Beverly-Killea Limited Liability Company Act, governs the formation of limited liability companies, including requiring the members to enter into operating agreements and file articles of organization with the Secretary of State. This bill repeals that act as of January 1, 2014, and enacts the California Revised Uniform Limited Liability Company Act, as of that date, which recasts provisions governing the formation and operation of limited liability companies.

Laws:

An act to amend various codes including 23405.2 of the Business and Professions Code.

SB 778 (Padilla D) Alcoholic beverages licensees: contests and sweepstakes.

Chapter No.: 489

Introduced: 2/18/2011

Last Amended: 8/20/2012

Summary:

This bill authorizes wine, beer and spirits producers to conduct consumer contests or sweepstakes.

Laws:

An act to add Sections 25600.1 and 25600.2 to the Business and Professions Code.

SB 937 (Committee on Governmental Organization) Alcoholic beverages.

Chapter No.: 327

Introduced: 3/21/2011

Last Amended: 8/16/2012

Summary:

This bill makes various code maintenance and technical cleanup changes to the Alcoholic Beverage Control Act.

Laws:

An act to amend Sections 494.5, 23083.5, 23393.5, 23396.6, 23800, 23817.5, 23958.4, 24045.11, 24300, 25503.29, 25503.37, and 25503.42 of, to repeal Sections 24016 and 24210 of, and to repeal and add Sections 23320 and 24079 of, the Business and Professions Code.

SB 1039 (Steinberg D) State government: Business, Consumer Services, and Housing Agency.

Chapter No.: 147

Introduced: 2/6/2012

Last Amended: 7/2/2012

Summary:

This bill, as of July 1, 2013, eliminates the State and Consumer Services Agency and instead establishes in state government the Business, Consumer Services, and Housing Agency, comprised of the Department of Consumer Affairs, the Department of Housing and Community Development, the Department of Fair Employment and Housing, the Department of Business Oversight, **the Department of Alcoholic Beverage Control**, the Alcoholic Beverage Control Appeals Board, the California Horse Racing Board, and the Alfred E. Alquist Seismic Safety Commission.

Laws:

An act to amend various codes including 23050 and 23075 of the Business and Professions Code.

SB 1171(Harman R) Maintenance of the codes.

Chapter No.: 162

Introduced: 2/22/2012

Last Amended: 5/21/2012

Summary:

This bill makes grammatical and technical changes to various laws to effectuate recommendations made by the Legislative Counsel to the Legislature.

Laws:

An act to amend various codes including 23393.5 and 25503.56 of the Business and Professions Code.

SB 1193 (Steinberg D) Human trafficking: public posting requirements.

Chapter No.: 515

Introduced: 2/22/2012

Last Amended: 8/13/2012

Summary:

This bill requires specific businesses, including on-sale general public premises (Type 48) licensees, to post a notice with information, including telephone hotline numbers, on how the public and victims of human trafficking can seek help or report criminal activity.

Laws:

An act to add Section 52.6 to the Civil Code, relating to human trafficking.

SB 1339 (Yee D) Commute benefit policies.

Chapter No.: 871

Introduced: 2/24/2012

Summary:

This bill authorizes, until January 1, 2017, a pilot program in the San Francisco Bay area allowing the Metropolitan Transportation Commission (MTC) and the Bay Area Quality Management District (BAAQMD) to jointly adopt an ordinance requiring employers in the bay area with 50 or more full time employees to offer those employees one of three specified commute benefits. One of the options requires the covered employer to offer a subsidy of up to \$75 to offset the monthly transit or vanpool commuting costs of the employee. All state employees working in areas served by mass transit are currently eligible for a 75 percent discount on public transit passes up to a maximum of \$65 per month. This bill could provide an additional \$10 in commute benefits to ABC and other state employees living in the bay area where the cost of living is higher than most other areas of the state.

Laws:

An act to add and repeal Section 65081 of the Government Code, relating to transportation.

SB 1393 (Negrete McLeod D) Alcoholic beverage control: licensees: returns.

Chapter No.: 163

Introduced: 2/24/2012

Last Amended: 6/28/2012

Summary:

This bill allows retailers to return beer to a supplier when the beer is recalled or considered by a manufacturer, importer, or government entity to present health or safety issues and allows the supplier to either exchange the returned beer, or receive a refund or credit. It also allows the return of unsold and unopened beer purchased under a temporary daily general license.

Laws:

An act to amend Section 23104.2 of the Business and Professions Code.

SB 1531 (Wolk D) Alcoholic beverages: tied-house restrictions: opera houses.

Chapter No.: 334

Introduced: 2/24/2012

Last Amended: 8/20/2012

Summary:

The bill allows Napa, Lake, Mendocino or Sonoma county winegrowers to donate wine and make monetary contribution to the Napa Valley Opera House. It also allows the Napa Valley Opera House to sell the donated wine under a temporary license issued by ABC.

Laws:

An act to add and repeal Section 25503.32 of the Business and Professions Code.