

File No. 210148

Committee Item No. _____

Board Item No. 36

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: February 23, 2021

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

OTHER

- SB 314 - 2/4/21
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
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Prepared by: Jocelyn Wong

Date: February 19, 2021

Prepared by: _____

Date: _____

1 [Urging the State Legislature to Pass California State Senate Bill No. 314 (Wiener) - Bar and
2 Restaurant Recovery Act]

3 **Resolution urging passage of California State Senate Bill No. 314, Bar and Restaurant**
4 **Recovery Act, authored by Senator Scott Wiener, to provide much-needed relief for**
5 **restaurants and bars and to ensure they are able to recover economically after the**
6 **COVID-19 pandemic.**

7

8 WHEREAS, The City and County of San Francisco, State of California, and United
9 States of America have declared local, state, and national emergencies in response to the
10 COVID-19 pandemic; and

11 WHEREAS, Public health precautions required to slow the spread of the COVID-19
12 pandemic and minimize loss of life are resulting in severe economic impacts for our city, state,
13 and country, with the restaurant and bar industry being among the hardest hit sectors; and

14 WHEREAS, According to the San Francisco Planning Department’s most recent
15 Commerce and Industry Inventory Report, which was published prior to the COVID-19
16 pandemic, eating and drinking places in San Francisco employed more than 65,000 people –
17 the most of any retail sector; and

18 WHEREAS, According to the Office of the Controller’s Five-Year Financial Plan, the
19 hospitality industry, including restaurants and bars, sustained a 28% decrease in employment
20 from March-November 2020, and data provided to the San Francisco Economic Recovery
21 Task Force showed that sales in San Francisco restaurants and bars were down by 65% due
22 to the COVID-19 pandemic; and

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1 WHEREAS, As part of San Francisco’s local efforts to support local businesses
2 impacted by the COVID-19 pandemic, the City has targeted fee relief, grants and other
3 resources to restaurants and bars; and

4 WHEREAS, San Francisco implemented the Shared Spaces program to allow
5 businesses to use the sidewalk or parking lanes for business operations, including dining, and
6 many restaurants and bars have been able to use these spaces to continue operations during
7 portions of the COVID-19 pandemic; and

8 WHEREAS, In response to the COVID-19 pandemic, the California Department of
9 Alcoholic Beverage Control instituted temporary regulations allowing significantly expanded
10 outdoor restaurant/bar seating with alcohol service in outdoor spaces like parking lots and
11 sidewalks, including businesses using Shared Spaces permits in San Francisco; and

12 WHEREAS, Senate Bill 314 (Wiener) will support California restaurants and bars by
13 doing the following: making permanent some of these temporary pandemic regulations
14 allowing for outdoor alcohol beverage service, making it easier for bars and restaurants to
15 share commercial space with other bars and restaurants or with non-alcohol-serving
16 businesses thus allowing businesses to reduce their rent costs, streamlining and adding
17 flexibility to California’s alcohol license process, creating a new entertainment venue liquor
18 license separate from a regular restaurant license and authorizing cities and counties to
19 create open container entertainment zones where people can purchase and consume alcohol
20 from surrounding businesses during festivals, street fairs or other outdoor events; now,
21 therefore, be it

22 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
23 urges the passage of State Senate Bill 314 – Bar and Restaurant Recovery Act to provide
24 much-needed relief for California’s local restaurants and bars to ensure they are able to
25 recover economically after the COVID-19 pandemic; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
2 Francisco directs the Clerk of the Board to transmit copies of this Resolution to the State
3 Legislature and City Lobbyist upon passage.

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Introduced by Senator Wiener

(Principal coauthors: Assembly Members Quirk and Villapudua)

(Coauthor: Senator Borgeas)

(Coauthors: Assembly Members Carrillo, Chiu, Eduardo Garcia, Gray, and Ting)

February 4, 2021

An act to amend Sections 23320, 23399, 24300, 25600.5, 25607, and 25665 of, to add Sections 23398.9, 23406, and 23407 to, and to add Article 7 (commencing with Section 23550) to Chapter 3 of Division 9 of, the Business and Professions Code, and to add Section 65863.15 to the Government Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 314, as introduced, Wiener. Alcoholic beverages.

(1) The Alcoholic Beverage Control Act contains various provisions regulating the application for, the issuance of, the suspension of, and the conditions imposed upon alcoholic beverage licenses by the Department of Alcoholic Beverage Control. Existing law generally provides that a violation of the Alcoholic Beverage Control Act is a misdemeanor.

Existing law authorizes the issuance of a caterer's permit, upon application to the department, to a licensee under an on-sale general license, an on-sale beer and wine license, a club license, or a veterans' club license, that authorizes the holder of the permit to sell alcoholic beverages at specified locations and events, including, among others, conventions, sporting events, and trade exhibits.

This bill would require the department to expedite the review of an application for a caterer's permit.

This bill would authorize the department to issue a COVID-19 permanent caterer's authorization to a licensee under an on-sale general license. The authorization would authorize the on-site consumption of the alcoholic beverages for which the licensee has on-sale privileges on property that is adjacent to the licensed premises, as specified. The bill would require the department to expedite the review of an application for an authorization, as specified. By broadening the definition of a crime, this bill would impose a state-mandated local program.

(2) Existing law makes it a misdemeanor for a licensee under an on-sale license issued for public premises, as defined, to permit a person under the age of 21 years to enter and remain in the licensed premises without lawful business therein.

This bill would permit a licensee under an on-sale license issued for public premises to permit a person under the age of 21 years to enter and remain in the licensed premises provided that alcoholic beverages are not sold, served, or consumed on the premises during the time that a person under the age of 21 years is present.

(3) Existing law provides for various annual fees for the issuance of alcoholic beverage licenses, depending upon the type of license issued. Existing law additionally authorizes specified alcoholic beverage licensees to purchase advertising space and time from, or on behalf of, an on-sale retail licensee, under certain conditions, if the on-sale retail licensee is the owner, manager, agent of the owner, assignee of the owner's advertising rights, or major tenant of specified facilities.

This bill would authorize the department to issue a music venue license that would allow the licensee to sell beer, wine, and distilled spirits at retail for consumption on the premises in a music entertainment facility, as defined. 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. The bill would provide for the purchases of advertising time and space with revised parameters, including that the parties submit a declaration to the department relating to the agreement to purchase advertising time and space.

(4) Existing law requires the department to hold a hearing on a protest, accusation, or petition for a license in the county in which the premises or license is located, except as provided, and to be conducted in accordance with specified administrative procedures.

This bill would require the department to a hearing described above within 6 months after the filing of a protest, accusation, or petition for a license.

(5) Existing law permits specified licensees, or their authorized agents, to provide, free of charge, entertainment, food, and distilled spirits, wine, or nonalcoholic beverages to consumers at an invitation-only event, subject to various conditions, including a limitation on the number of events the authorized person may conduct in a year, as provided.

This bill would delete the above-described condition.

(6) Existing law, with exceptions, prohibits a licensee from having upon the licensed premises any alcoholic beverages other than the alcoholic beverage that the licensee is authorized to sell at the premises under their license, and makes a violation of this prohibition punishable as a misdemeanor.

This bill would, as an exception to that prohibition, authorize 2 or more on-sale general licensees whose licensed premises are immediately adjacent to each other, as specified, to share a common licensed area in which consumption of alcoholic beverages is permitted under various circumstances

This bill would provide that a licensee that shares a licensed premises with another licensee but does not operate at the same time as the other licensee is responsible for compliance with the act and for any violation that occurs on the premises only during the time when that licensee operates under its license.

(7) Under existing law, any person possessing an open container of an alcoholic beverage in any city, county, or city and county-owned public place, as specified, or any regional park or recreation and park district, is guilty of an infraction if the city or county has enacted an ordinance that prohibits the possession of those containers or the consumption of alcoholic beverages in those areas, except as specified.

The Planning and Zoning Law authorizes the legislative body of any city or county to adopt ordinances regulating zoning within its jurisdiction, as specified.

This bill would authorize a city, including a charter city, county, or city and county, to allow in commercial zones the consumption of alcoholic beverages, including the possession of an open container of an alcoholic beverage.

(8) This bill would make various conforming changes.

(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(10) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

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

1 SECTION 1. Section 23320 of the Business and Professions
 2 Code is amended to read:
 3 23320. (a) An applicant for a new permanent license, which
 4 shall not include duplicate licenses, shall accompany the
 5 application with the application fee as specified in this division:
 6 (1) The license application fee for a new permanent license shall
 7 be nine hundred five dollars (\$905), except as otherwise specified.
 8 (2) Applicants for a new permanent license of the following
 9 types shall accompany the application with a fee of fifteen thousand
 10 eight hundred thirty-five dollars (\$15,835):
 11 (A) Off-sale general (Type 21).
 12 (B) On-sale general - eating place (Type 47), on-sale general
 13 public premises (Type 48), special on-sale general (Type 57),
 14 special on-sale general for-profit theater (Type 71 and Type 72),
 15 brewpub-restaurant (Type 75), caterer’s (Type 83), neighborhood
 16 restricted special on-sale (Type 87), ~~and special on-sale general~~
 17 ~~license for historic cemetery (Type 88).~~ (Type 88), and music venue
 18 license (Type 90).
 19 (3) Applicants for a new permanent license of the following
 20 types shall accompany the application with a fee as indicated:
 21 (A) Twelve thousand dollars (\$12,000) for a wine, food and art
 22 cultural museum (Type 78).
 23 (B) Six thousand dollars (\$6,000) for an on-sale general - eating
 24 place on public property ~~(Type 47) and (Type 47)~~, for an on-sale
 25 general restrictive service ~~(Type 70).~~ (Type 70), and for a music
 26 venue on public property (Type 90).
 27 (C) Two thousand dollars (\$2,000) for an on-sale general
 28 dockside (Type 62).

1 (D) One thousand dollars (\$1,000) for a special on-sale general
2 theater (Type 64).

3 (E) One hundred dollars (\$100) for an out-of-state beer
4 manufacturer certificate (Type 26), for a distilled spirits shipper
5 certificate (Type 28), and for a direct shipper permit (Type 82).

6 (F) One hundred dollars (\$100) for a still (Type 6).

7 (b) The following are the types of licenses and the annual fees
8 to be charged therefor:

9 (1) (A) For a Type 01 - Beer manufacturer that produces more
10 than 60,000 barrels per year: the fee through September 30, 2019,
11 is one thousand five hundred thirty-one dollars (\$1,531) and the
12 fee on and after October 1, 2019, is one thousand eight hundred
13 ninety dollars (\$1,890).

14 (B) For a Duplicate Type 01: the fee through September 30,
15 2019, is ninety-eight dollars (\$98) and the fee on and after October
16 1, 2019, is four hundred thirty dollars (\$430).

17 (2) (A) For a Type 02 - Winegrower (to be computed only on
18 the gallons produced); 5,000 gallons or less: the fee through
19 September 30, 2019, is seventy-one dollars (\$71) and the fee on
20 and after October 1, 2019, is one hundred ten dollars (\$110).

21 (B) For a Type 02 - Winegrower (to be computed only on the
22 gallons produced); 5,000 - 20,000 gallons: the fee through
23 September 30, 2019, is one hundred thirty-two dollars (\$132) and
24 the fee on and after October 1, 2019, is one hundred sixty dollars
25 (\$160).

26 (C) For a Type 02 - Winegrower (to be computed only on the
27 gallons produced); 20,000 - 100,000 gallons: the fee through
28 September 30, 2019, is two hundred thirty-nine dollars (\$239) and
29 the fee on and after October 1, 2019, is three hundred twenty-five
30 dollars (\$325).

31 (D) For a Type 02 - Winegrower (to be computed only on the
32 gallons produced); 100,000 - 200,000 gallons: the fee through
33 September 30, 2019, is three hundred fourteen dollars (\$314) and
34 the fee on and after October 1, 2019, is three hundred eighty dollars
35 (\$380).

36 (E) For a Type 02 - Winegrower (to be computed only on the
37 gallons produced); 200,000 - 1,000,000 gallons: the fee through
38 September 30, 2019, is four hundred sixty-six dollars (\$466) and
39 the fee on and after October 1, 2019, is five hundred forty dollars
40 (\$540).

1 (F) For a Type 02 - Winegrower (to be computed only on the
2 gallons produced); for each additional 1,000,000 gallons over
3 1,000,000 gallons: the fee through September 30, 2019, is three
4 hundred thirteen dollars (\$313) and the fee on and after October
5 1, 2019, is three hundred eighty dollars (\$380).

6 (G) For a Duplicate Type 02: the fee through September 30,
7 2019, is ninety-eight dollars (\$98) and the fee on and after October
8 1, 2019, is one hundred sixty dollars (\$160).

9 (3) (A) For a Type 03 - Brandy manufacturer: the fee through
10 September 30, 2019, is three hundred eleven dollars (\$311) and
11 the fee on and after October 1, 2019, is five hundred forty dollars
12 (\$540).

13 (B) For a Duplicate Type 03: the fee through September 30,
14 2019, is two hundred eighty-four dollars (\$284) and the fee on and
15 after October 1, 2019, is three hundred eighty dollars (\$380).

16 (4) For a Type 04 - Distilled spirits manufacturer: the fee
17 through September 30, 2019, is five hundred ten dollars (\$510)
18 and the fee on and after October 1, 2019, is five hundred ninety-five
19 dollars (\$595).

20 (5) For a Type 05 - Distilled spirits manufacturer's agent: the
21 fee through September 30, 2019, is five hundred ten dollars (\$510)
22 and the fee on and after October 1, 2019, is five hundred ninety-five
23 dollars (\$595).

24 (6) For a Type 06 - Still: the fee through September 30, 2019,
25 is seventy-seven dollars (\$77) and the fee on and after October 1,
26 2019, is one hundred ten dollars (\$110).

27 (7) For a Type 07 - Rectifier: the fee through September 30,
28 2019, is five hundred ten dollars (\$510) and the fee on and after
29 October 1, 2019, is five hundred ninety-five dollars (\$595).

30 (8) For a Type 08 - Wine rectifier: the fee through September
31 30, 2019, is five hundred ten dollars (\$510) and the fee on and
32 after October 1, 2019, is five hundred ninety-five dollars (\$595).

33 (9) For a Type 09 - Beer and wine importer: the fee through
34 September 30, 2019, is seventy-seven dollars (\$77) and the fee on
35 and after October 1, 2019, is one hundred ten dollars (\$110).

36 (10) For a Type 10 - Beer and wine importer's general license:
37 the fee through September 30, 2019, is three hundred forty dollars
38 (\$340) and the fee on and after October 1, 2019, is five hundred
39 forty dollars (\$540).

1 (11) For a Type 11 - Brandy importer: the fee through September
2 30, 2019, is seventy-seven dollars (\$77) and the fee on and after
3 October 1, 2019, is one hundred ten dollars (\$110).

4 (12) For a Type 12 - Distilled spirits importer: the fee through
5 September 30, 2019, is seventy-seven dollars (\$77) and the fee on
6 and after October 1, 2019, is one hundred ten dollars (\$110).

7 (13) For a Type 13 - Distilled spirits importer's general license:
8 the fee through September 30, 2019, is five hundred ten dollars
9 (\$510) and the fee on and after October 1, 2019, is five hundred
10 ninety-five dollars (\$595).

11 (14) (A) For a Type 14 - Public warehouse: the fee through
12 September 30, 2019, is seventy-seven dollars (\$77) and the fee on
13 and after October 1, 2019, is one hundred ten dollars (\$110).

14 (B) For a Duplicate Type 14: the fee through September 30,
15 2019, is one dollar (\$1) and the fee on and after October 1, 2019,
16 is twenty-five dollars (\$25).

17 (15) For a Type 15 - Customs broker: the fee through September
18 30, 2019, is seventy-seven dollars (\$77) and the fee on and after
19 October 1, 2019, is one hundred ten dollars (\$110).

20 (16) For a Type 16 - Wine broker: the fee through September
21 30, 2019, is one hundred three dollars (\$103) and the fee on and
22 after October 1, 2019, is one hundred ten dollars (\$110).

23 (17) For a Type 17 - Beer and wine wholesaler: the fee through
24 September 30, 2019, is three hundred forty dollars (\$340) and the
25 fee on and after October 1, 2019, is three hundred eighty dollars
26 (\$380).

27 (18) For a Type 18 - Distilled spirits wholesaler: the fee through
28 September 30, 2019, is five hundred ten dollars (\$510) and the fee
29 on and after October 1, 2019, is five hundred ninety-five dollars
30 (\$595).

31 (19) For a Type 19 - Industrial alcohol dealer: the fee through
32 September 30, 2019, is one hundred three dollars (\$103) and the
33 fee on and after October 1, 2019, is one hundred ten dollars (\$110).

34 (20) For a Type 20 - Off-sale beer and wine: the fee through
35 September 30, 2019, is two hundred seventy-eight dollars (\$278)
36 and the fee on and after October 1, 2019, is three hundred eighty
37 dollars (\$380).

38 (21) For a Type 21 - Off-sale general: the fee through September
39 30, 2019, is six hundred seventeen dollars (\$617) and the fee on

1 and after October 1, 2019, is seven hundred fifty-five dollars
2 (\$755).

3 (22) (A) For a Type 22 - Wine blender (to be computed only
4 on the gallons produced); 5,000 gallons or less: the fee through
5 September 30, 2019, is seventy-one dollars (\$71) and the fee on
6 and after October 1, 2019, is one hundred ten dollars (\$110).

7 (B) For a Type 22 - Wine blender (to be computed only on the
8 gallons produced); 5,000 - 20,000 gallons: the fee through
9 September 30, 2019, is one hundred thirty-two dollars (\$132) and
10 the fee on and after October 1, 2019, is one hundred sixty dollars
11 (\$160).

12 (C) For a Type 22 - Wine blender (to be computed only on the
13 gallons produced); 20,000 gallons - 100,000 gallons: the fee
14 through September 30, 2019, is two hundred thirty-nine dollars
15 (\$239) and the fee on and after October 1, 2019, is three hundred
16 twenty-five dollars (\$325).

17 (D) For a Type 22 - Wine blender (to be computed only on the
18 gallons produced); 100,000 - 200,000 gallons: the fee through
19 September 30, 2019, is three hundred fourteen dollars (\$314) and
20 the fee on and after October 1, 2019, is three hundred eighty dollars
21 (\$380).

22 (E) For a Type 22 - Wine blender (to be computed only on the
23 gallons produced); 200,000 - 1,000,000 gallons: the fee through
24 September 30, 2019, is four hundred sixty-six dollars (\$466) and
25 the fee on and after October 1, 2019, is five hundred forty dollars
26 (\$540).

27 (F) For a Type 22 - Wine blender (to be computed only on the
28 gallons produced); for each additional 1,000,000 gallons over
29 1,000,000 gallons: the fee through September 30, 2019, is three
30 hundred thirteen dollars (\$313) and the fee on and after October
31 1, 2019, is three hundred eighty dollars (\$380).

32 (23) (A) For a Type 23 - Small beer manufacturer that produces
33 60,000 barrels or less a year: the fee through September 30, 2019,
34 is one hundred eighty-four dollars (\$184) and the fee on and after
35 October 1, 2019, is three hundred eighty dollars (\$380).

36 (B) For a Duplicate Type 23: the fee through September 30,
37 2019, is ninety-eight dollars (\$98) and the fee on and after October
38 1, 2019, is two hundred fifteen dollars (\$215).

39 (24) For a Type 24 - Distilled spirits rectifier's general license:
40 the fee through September 30, 2019, is five hundred ten dollars

1 (\$510) and the fee on and after October 1, 2019, is five hundred
2 ninety-five dollars (\$595).

3 (25) For a Type 25 - California brandy wholesaler: the fee
4 through September 30, 2019, is five hundred ten dollars (\$510)
5 and the fee on and after October 1, 2019, is five hundred ninety-five
6 dollars (\$595).

7 (26) For a Type 26 - Out-of-state beer manufacturer certificate:
8 the fee through September 30, 2019, is seventy-nine dollars (\$79)
9 and the fee on and after October 1, 2019, is one hundred ten dollars
10 (\$110).

11 (27) For a Type 27 - California winegrower's agent: the fee
12 through September 30, 2019, is five hundred ten dollars (\$510)
13 and the fee on and after October 1, 2019, is five hundred ninety-five
14 dollars (\$595).

15 (28) For a Type 28 - Out-of-state distilled spirits shipper
16 certificate: the fee through September 30, 2019, is seventy-nine
17 dollars (\$79) and the fee on and after October 1, 2019, is one
18 hundred ten dollars (\$110).

19 (29) For a Type 29 - Winegrape grower storage: the fee through
20 September 30, 2019, is ninety dollars (\$90) and the fee on and
21 after October 1, 2019, is one hundred ten dollars (\$110).

22 (30) For a Type 40 - On-sale beer: the fee through September
23 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on
24 and after October 1, 2019, is three hundred eighty dollars (\$380).

25 (31) For a Type 41 - On-sale beer and wine eating place: the
26 fee through September 30, 2019, is three hundred eighty-four
27 dollars (\$384) and the fee on and after October 1, 2019, is four
28 hundred thirty dollars (\$430).

29 (32) For a Type 42 - On-sale beer and wine pub premises: the
30 fee through September 30, 2019, is two hundred eighty-four dollars
31 (\$284) and the fee on and after October 1, 2019, is five hundred
32 forty dollars (\$540).

33 (33) For a Type 43 - On-sale beer and wine train: the fee through
34 September 30, 2019, is one hundred fourteen dollars (\$114) and
35 the fee on and after October 1, 2019, is one hundred sixty dollars
36 (\$160).

37 (34) For a Type 44 - On-sale beer and wine fishing party boat:
38 the fee through September 30, 2019, is one hundred fourteen dollars
39 (\$114) and the fee on and after October 1, 2019, is one hundred
40 sixty dollars (\$160).

- 1 (35) For a Type 45 - On-sale beer and wine boat: the fee through
2 September 30, 2019, is one hundred fourteen dollars (\$114) and
3 the fee on and after October 1, 2019, is one hundred sixty dollars
4 (\$160).
- 5 (36) For a Type 46 - On-sale beer and wine airplane: the fee
6 through September 30, 2019, is one hundred fourteen dollars (\$114)
7 and the fee on and after October 1, 2019, is one hundred sixty
8 dollars (\$160).
- 9 (37) (A) For a Type 47 - On-sale general eating place in cities
10 of 40,000 population or over: the fee through September 30, 2019,
11 is nine hundred seventy-one dollars (\$971) and the fee on and after
12 October 1, 2019, is one thousand one hundred ninety dollars
13 (\$1,190).
- 14 (B) For a Type 47 - On-sale general eating place in cities of less
15 than 40,000, but more than 20,000 population: the fee through
16 September 30, 2019, is seven hundred eleven dollars (\$711) and
17 the fee on and after October 1, 2019, is nine hundred seventy
18 dollars (\$970).
- 19 (C) For a Type 47 - On-sale general eating place in all other
20 localities: the fee through September 30, 2019, is six hundred
21 thirty-two dollars (\$632) and the fee on and after October 1, 2019,
22 is seven hundred fifty-five dollars (\$755).
- 23 (D) For a Duplicate Type 47 in cities of 40,000 population or
24 over: the fee through September 30, 2019, is six hundred
25 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
26 is seven hundred fifty-five dollars (\$755).
- 27 (E) For a Duplicate Type 47 in cities of less than 40,000, but
28 more than 20,000 population: the fee through September 30, 2019,
29 is four hundred thirteen dollars (\$413) and the fee on and after
30 October 1, 2019, is five hundred forty dollars (\$540).
- 31 (F) For a Duplicate Type 47 in all other localities: the fee
32 through September 30, 2019, is three hundred twenty-six dollars
33 (\$326) and the fee on and after October 1, 2019, is four hundred
34 thirty dollars (\$430).
- 35 (38) (A) For a Type 48 - On-sale general public premises in
36 cities of 40,000 population or over: the fee through September 30,
37 2019, is nine hundred seventy-one dollars (\$971) and the fee on
38 and after October 1, 2019, is one thousand one hundred ninety
39 dollars (\$1,190).

1 (B) For a Type 48 - On-sale general public premises in cities
2 of less than 40,000, but more than 20,000 population: the fee
3 through September 30, 2019, is seven hundred eleven dollars
4 (\$711) and the fee on and after October 1, 2019, is nine hundred
5 seventy dollars (\$970).

6 (C) For a Type 48 - On-sale general public premises in all other
7 localities: the fee through September 30, 2019, is six hundred
8 thirty-two dollars (\$632) and the fee on and after October 1, 2019,
9 is seven hundred fifty-five dollars (\$755).

10 (D) For a Duplicate Type 48 in cities of 40,000 population or
11 over: the fee through September 30, 2019, is six hundred
12 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
13 is seven hundred fifty-five dollars (\$755).

14 (E) For a Duplicate Type 48 in cities of less than 40,000, but
15 more than 20,000 population: the fee through September 30, 2019,
16 is four hundred thirteen dollars (\$413) and the fee on and after
17 October 1, 2019, is five hundred forty dollars (\$540).

18 (F) For a Duplicate Type 48 in all other localities: the fee
19 through September 30, 2019, is three hundred twenty-six dollars
20 (\$326) and the fee on and after October 1, 2019, is four hundred
21 thirty dollars (\$430).

22 (39) (A) For a Type 49 - On-sale general - seasonal business
23 in cities of 40,000 population or over per 3 months: the fee through
24 September 30, 2019, is two hundred forty-seven dollars (\$247)
25 and the fee on and after October 1, 2019, is three hundred
26 twenty-five dollars (\$325).

27 (B) For a Type 49 - On-sale general - seasonal business in cities
28 of 40,000 population or over per 6 months: the fee through
29 September 30, 2019, is four hundred ninety-four dollars (\$494)
30 and the fee on and after October 1, 2019, is six hundred fifty dollars
31 (\$650).

32 (C) For a Type 49 - On-sale general - seasonal business in cities
33 of 40,000 population or over per 9 months: the fee through
34 September 30, 2019, is seven hundred forty-one dollars (\$741)
35 and the fee on and after October 1, 2019, is nine hundred seventy
36 dollars (\$970).

37 (D) For a Type 49 - On-sale general - seasonal business in cities
38 of less than 40,000, but more than 20,000 population per 3 months:
39 the fee through September 30, 2019, is one hundred seventy-six

1 dollars (\$176) and the fee on and after October 1, 2019, is two
2 hundred fifteen dollars (\$215).

3 (E) For a Type 49 - On-sale general - seasonal business in cities
4 of less than 40,000, but more than 20,000 population per 6 months:
5 the fee through September 30, 2019, is three hundred fifty dollars
6 (\$350) and the fee on and after October 1, 2019, is four hundred
7 thirty dollars (\$430).

8 (F) For a Type 49 - On-sale general - seasonal business in cities
9 of less than 40,000, but more than 20,000 population per 9 months:
10 the fee through September 30, 2019, is five hundred twenty-six
11 dollars (\$526) and the fee on and after October 1, 2019, is six
12 hundred fifty dollars (\$650).

13 (G) For a Type 49 - On-sale general - seasonal business in all
14 other localities per 3 months: the fee through September 30, 2019,
15 is one hundred fifty-three dollars (\$153) and the fee on and after
16 October 1, 2019, is one hundred sixty dollars (\$160).

17 (H) For a Type 49 - On-sale general - seasonal business in all
18 other localities per 6 months: the fee through September 30, 2019,
19 is three hundred six dollars (\$306) and the fee on and after October
20 1, 2019, is three hundred eighty dollars (\$380).

21 (I) For a Type 49 - On-sale general - seasonal business in all
22 other localities per 9 months: the fee through September 30, 2019,
23 is four hundred fifty-eight dollars (\$458) and the fee on and after
24 October 1, 2019, is five hundred forty dollars (\$540).

25 (J) For a Duplicate Type 49 in cities of 40,000 population or
26 over per 3 months: the fee through September 30, 2019, is one
27 hundred seventy-six dollars (\$176) and the fee on and after October
28 1, 2019, is two hundred fifteen dollars (\$215).

29 (K) For a Duplicate Type 49 in cities of 40,000 population or
30 over per 6 months: the fee through September 30, 2019, is three
31 hundred fifty dollars (\$350) and the fee on and after October 1,
32 2019, is four hundred thirty dollars (\$430).

33 (L) For a Duplicate Type 49 in cities of 40,000 population or
34 over per 9 months: the fee through September 30, 2019, is five
35 hundred twenty-six dollars (\$526) and the fee on and after October
36 1, 2019, is six hundred fifty dollars (\$650).

37 (M) For a Duplicate Type 49 in cities of less than 40,000, but
38 more than 20,000 population or over per 3 months: the fee through
39 September 30, 2019, is one hundred three dollars (\$103) and the

1 fee on and after October 1, 2019, is one hundred twenty-five dollars
2 (\$125).

3 (N) For a Duplicate Type 49 in cities of less than 40,000, but
4 more than 20,000 per 6 months: the fee through September 30,
5 2019, is two hundred seven dollars (\$207) and the fee on and after
6 October 1, 2019, is two hundred fifty dollars (\$250).

7 (O) For a Duplicate Type 49 in cities of less than 40,000, but
8 more than 20,000 population or over per 9 months: the fee through
9 September 30, 2019, is three hundred eleven dollars (\$311) and
10 the fee on and after October 1, 2019, is three hundred seventy-five
11 dollars (\$375).

12 (P) For a Duplicate Type 49 in all other localities per 3 months:
13 the fee through September 30, 2019, is eighty-one dollars (\$81)
14 and the fee on and after October 1, 2019, is one hundred ten dollars
15 (\$110).

16 (Q) For a Duplicate Type 49 in all other localities per 6 months:
17 the fee through September 30, 2019, is one hundred sixty-six
18 dollars (\$166) and the fee on and after October 1, 2019, is two
19 hundred fifteen dollars (\$215).

20 (R) For a Duplicate Type 49 in all other localities per 9 months:
21 the fee through September 30, 2019, is two hundred forty-seven
22 dollars (\$247) and the fee on and after October 1, 2019, is three
23 hundred twenty-five dollars (\$325).

24 (40) (A) For a Type 50 - On-sale general license for bona fide
25 clubs in cities of 40,000 population or over: the fee through
26 September 30, 2019, is five hundred sixty dollars (\$560) and the
27 fee on and after October 1, 2019, is six hundred fifty dollars (\$650).

28 (B) For a Type 50 - On-sale general license for bona fide clubs
29 in cities of less than 40,000, but more than 20,000 population: the
30 fee through September 30, 2019, is four hundred twenty dollars
31 (\$420) and the fee on and after October 1, 2019, is five hundred
32 forty dollars (\$540).

33 (C) For a Type 50 - On-sale general license for bona fide clubs
34 in all other localities: the fee through September 30, 2019, is three
35 hundred seventy-three dollars (\$373) and the fee on and after
36 October 1, 2019, is four hundred thirty dollars (\$430).

37 (41) (A) For a Type 51 - Club license (issued under Article 4
38 of this chapter) in cities of 40,000 population or over: the fee
39 through September 30, 2019, is five hundred sixty dollars (\$560)

1 and the fee on and after October 1, 2019, is six hundred fifty dollars
2 (\$650).

3 (B) For a Type 51 - Club license (issued under Article 4 of this
4 chapter) in cities of less than 40,000, but more than 20,000
5 population: the fee through September 30, 2019, is four hundred
6 twenty dollars (\$420) and the fee on and after October 1, 2019, is
7 five hundred forty dollars (\$540).

8 (C) For a Type 51 - Club license (issued under Article 4 of this
9 chapter) in all other localities: the fee through September 30, 2019,
10 is three hundred seventy-three dollars (\$373) and the fee on and
11 after October 1, 2019, is four hundred thirty dollars (\$430).

12 (42) (A) For a Type 52 - Veterans' club license (issued under
13 Article 5 of this chapter) in cities of 40,000 population or over:
14 the fee through September 30, 2019, is five hundred sixty dollars
15 (\$560) and the fee on and after October 1, 2019, is six hundred
16 fifty dollars (\$650).

17 (B) For a Type 52 - Veterans' club license (issued under Article
18 5 of this chapter) in cities of less than 40,000, but more than 20,000
19 population: the fee through September 30, 2019, is four hundred
20 twenty dollars (\$420) and the fee on and after October 1, 2019, is
21 five hundred forty dollars (\$540).

22 (C) For a Type 52 - Veterans' club license (issued under Article
23 5 of this chapter) in all other localities: the fee through September
24 30, 2019, is three hundred seventy-three dollars (\$373) and the fee
25 on and after October 1, 2019, is four hundred thirty dollars (\$430).

26 (43) (A) For a Type 53 - On-sale general train: the fee through
27 September 30, 2019, is two hundred seventeen dollars (\$217) and
28 the fee on and after October 1, 2019, is three hundred twenty-five
29 dollars (\$325).

30 (B) For a Duplicate Type 53: the fee through September 30,
31 2019, is seventy-seven dollars (\$77) and the fee on and after
32 October 1, 2019, is one hundred ten dollars (\$110).

33 (44) For a Type 54 - On-sale general boat: the fee through
34 September 30, 2019, is five hundred sixty-three dollars (\$563) and
35 the fee on and after October 1, 2019, is six hundred fifty dollars
36 (\$650).

37 (45) (A) For a Type 55 - On-sale general license for airplanes:
38 the fee through September 30, 2019, is five hundred sixty-three
39 dollars (\$563) and the fee on and after October 1, 2019, is six
40 hundred fifty dollars (\$650).

1 (B) For a Duplicate Type 55 for air common carriers: the fee
2 through September 30, 2019, is seventy-seven dollars (\$77) and
3 the fee on and after October 1, 2019, is one hundred ten dollars
4 (\$110).

5 (46) (A) For a Type 56 - On-sale general license for vessels of
6 more than 1,000 tons burden: the fee through September 30, 2019,
7 is two hundred seventeen dollars (\$217) and the fee on and after
8 October 1, 2019, is three hundred twenty-five dollars (\$325).

9 (B) For a Duplicate Type 56: the fee through September 30,
10 2019, is seventy-seven dollars (\$77) and the fee on and after
11 October 1, 2019, is one hundred ten dollars (\$110).

12 (47) (A) For a Type 57 - Special on-sale general in cities of
13 40,000 population or over: the fee through September 30, 2019,
14 is nine hundred seventy-one dollars (\$971) and the fee on and after
15 October 1, 2019, is one thousand one hundred ninety dollars
16 (\$1,190).

17 (B) For a Type 57 - Special on-sale general in cities of less than
18 40,000, but more than 20,000 population: the fee through
19 September 30, 2019, is seven hundred eleven dollars (\$711) and
20 the fee on and after October 1, 2019, is nine hundred seventy
21 dollars (\$970).

22 (C) For a Type 57 - Special on-sale general in all other localities:
23 the fee through September 30, 2019, is six hundred thirty-two
24 dollars (\$632) and the fee on and after October 1, 2019, is seven
25 hundred fifty-five dollars (\$755).

26 (D) For a Duplicate Type 57 in cities of 40,000 population or
27 over: the fee through September 30, 2019, is six hundred
28 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
29 is seven hundred fifty-five dollars (\$755).

30 (E) For a Duplicate Type 57 in cities of less than 40,000, but
31 more than 20,000 population: the fee through September 30, 2019,
32 is four hundred thirteen dollars (\$413) and the fee on and after
33 October 1, 2019, is five hundred forty dollars (\$540).

34 (F) For a Duplicate Type 57 in all other localities: the fee
35 through September 30, 2019, is three hundred twenty-six dollars
36 (\$326) and the fee on and after October 1, 2019, is four hundred
37 thirty dollars (\$430).

38 (48) (A) For a Type 58 - Caterer's permit; on-sale general or
39 on-sale beer and wine: the fee through September 30, 2019, is one

1 hundred forty-six dollars (\$146) and the fee on and after October
2 1, 2019, is two hundred fifteen dollars (\$215).

3 (B) For a Type 58 - Caterer’s permit; club in cities of 40,000
4 population or over: the fee through September 30, 2019, is nine
5 hundred seventy-one dollars (\$971) and the fee on and after
6 October 1, 2019, is one thousand one hundred ninety dollars
7 (\$1,190).

8 (C) For a Type 58 - Caterer’s permit; club in cities of less than
9 40,000, but more than 20,000 population: the fee through
10 September 30, 2019, is seven hundred eleven dollars (\$711) and
11 the fee on and after October 1, 2019, is nine hundred seventy
12 dollars (\$970).

13 (D) For a Type 58 - Caterer’s permit; club in all other localities:
14 the fee through September 30, 2019, is six hundred thirty-two
15 dollars (\$632) and the fee on and after October 1, 2019, is seven
16 hundred fifty-five dollars (\$755).

17 (49) (A) For a Type 59 - On-sale beer and wine seasonal;
18 operating period 3-9 months: the fee through September 30, 2019,
19 is two hundred thirty-nine dollars (\$239) and the fee on and after
20 October 1, 2019, is two hundred fifty dollars (\$250).

21 (B) For a Type 59 - On-sale beer and wine seasonal; operating
22 period 3-6 months: the fee through September 30, 2019, is one
23 hundred sixty-two dollars (\$162) and the fee on and after October
24 1, 2019, is one hundred seventy-five dollars (\$175).

25 (50) (A) For a Type 60 - On-sale beer seasonal; operating period
26 3-9 months: the fee through September 30, 2019, is two hundred
27 thirty-nine dollars (\$239) and the fee on and after October 1, 2019,
28 is two hundred fifty dollars (\$250).

29 (B) For a Type 60 - On-sale beer seasonal; operating period 3-6
30 months: the fee through September 30, 2019, is one hundred
31 sixty-two dollars (\$162) and the fee on and after October 1, 2019,
32 is one hundred seventy-five dollars (\$175).

33 (51) For a Type 61 - On-sale beer public premises: the fee
34 through September 30, 2019, is two hundred eighty-four dollars
35 (\$284) and the fee on and after October 1, 2019, is three hundred
36 eighty dollars (\$380).

37 (52) For a Type 62 - On-sale general license dockside: the fee
38 through September 30, 2019, is six hundred nine dollars (\$609)
39 and the fee on and after October 1, 2019, is seven hundred fifty-five
40 dollars (\$755).

1 (53) For a Type 63 - On-sale special beer and wine hospital:
2 the fee through September 30, 2019, is ninety-six dollars (\$96)
3 and the fee on and after October 1, 2019, is one hundred ten dollars
4 (\$110).

5 (54) (A) For a Type 64 - Special on-sale general theater in cities
6 of 40,000 population or over: the fee through September 30, 2019,
7 is five hundred sixty dollars (\$560) and the fee on and after October
8 1, 2019, is seven hundred fifty-five dollars (\$755).

9 (B) For a Type 64 - Special on-sale general theater in cities of
10 less than 40,000, but more than 20,000 population: the fee through
11 September 30, 2019, is four hundred twenty dollars (\$420) and
12 the fee on and after October 1, 2019, is five hundred forty dollars
13 (\$540).

14 (C) For a Type 64 - Special on-sale general theater in all other
15 localities: the fee through September 30, 2019, is three hundred
16 seventy-three dollars (\$373) and the fee on and after October 1,
17 2019, is four hundred thirty dollars (\$430).

18 (55) For a Type 65 - Special on-sale beer and wine symphony:
19 the fee through September 30, 2019, is two hundred eighty-four
20 dollars (\$284) and the fee on and after October 1, 2019, is four
21 hundred thirty dollars (\$430).

22 (56) For a Type 66 - Controlled access cabinet: the fee through
23 September 30, 2019, is six hundred seventeen dollars (\$617) and
24 the fee on and after October 1, 2019, is seven hundred fifty-five
25 dollars (\$755).

26 (57) For a Type 67 - Bed and breakfast inn; per room: the fee
27 through September 30, 2019, is eight dollars (\$8) and the fee on
28 and after October 1, 2019, is ten dollars (\$10).

29 (58) (A) For a Type 68 - Portable bar in cities of 40,000
30 population or over: the fee through September 30, 2019, is six
31 hundred ninety-nine dollars (\$699) and the fee on and after October
32 1, 2019, is seven hundred fifty-five dollars (\$755).

33 (B) For a Type 68 - Portable bar in cities of less than 40,000,
34 but more than 20,000 population: the fee through September 30,
35 2019, is four hundred thirteen dollars (\$413) and the fee on and
36 after October 1, 2019, is five hundred forty dollars (\$540).

37 (C) For a Type 68 - Portable bar in all other localities: the fee
38 through September 30, 2019, is three hundred twenty-six dollars
39 (\$326) and the fee on and after October 1, 2019, is four hundred
40 thirty dollars (\$430).

1 (59) For a Type 69 - Special on-sale beer and wine theater: the
2 fee through September 30, 2019, is two hundred eighty-four dollars
3 (\$284) and the fee on and after October 1, 2019, is four hundred
4 thirty dollars (\$430).

5 (60) (A) For a Type 70 - On-sale general restrictive service in
6 cities of 40,000 population or over: the fee through September 30,
7 2019, is nine hundred seventy-one dollars (\$971) and the fee on
8 and after October 1, 2019, is one thousand one hundred ninety
9 dollars (\$1,190).

10 (B) For a Type 70 - On-sale general restrictive service in cities
11 of less than 40,000, but more than 20,000 population: the fee
12 through September 30, 2019, is seven hundred eleven dollars
13 (\$711) and the fee on and after October 1, 2019, is nine hundred
14 seventy dollars (\$970).

15 (C) For a Type 70 - On-sale general restrictive service in all
16 other localities: the fee through September 30, 2019, is six hundred
17 thirty-two dollars (\$632) and the fee on and after October 1, 2019,
18 is seven hundred fifty-five dollars (\$755).

19 (61) (A) For a Type 71 - Special on-sale general for-profit
20 theater in cities of 40,000 population or over: the fee through
21 September 30, 2019, is nine hundred seventy-one dollars (\$971)
22 and the fee on and after October 1, 2019, is one thousand one
23 hundred ninety dollars (\$1,190).

24 (B) For a Type 71 - Special on-sale general for-profit theater in
25 cities of less than 40,000, but more than 20,000 population: the
26 fee through September 30, 2019, is seven hundred eleven dollars
27 (\$711) and the fee on and after October 1, 2019, is nine hundred
28 seventy dollars (\$970).

29 (C) For a Type 71 - Special on-sale general for-profit theater in
30 all other localities: the fee through September 30, 2019, is six
31 hundred thirty-two dollars (\$632) and the fee on and after October
32 1, 2019, is seven hundred fifty-five dollars (\$755).

33 (D) For a Duplicate Type 71 in cities of 40,000 population or
34 over: the fee through September 30, 2019, is six hundred
35 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
36 is seven hundred fifty-five dollars (\$755).

37 (E) For a Duplicate Type 71 in cities of less than 40,000, but
38 more than 20,000 population: the fee through September 30, 2019,
39 is four hundred thirteen dollars (\$413) and the fee on and after
40 October 1, 2019, is five hundred forty dollars (\$540).

1 (F) For a Duplicate Type 71 in all other localities: the fee
2 through September 30, 2019, is three hundred twenty-six dollars
3 (\$326) and the fee on and after October 1, 2019, is four hundred
4 thirty dollars (\$430).

5 (62) (A) For a Type 72 - Special on-sale general for-profit
6 theater, Napa County in cities of 40,000 population or over: the
7 fee through September 30, 2019, is nine hundred seventy-one
8 dollars (\$971) and the fee on and after October 1, 2019, is one
9 thousand one hundred ninety dollars (\$1,190).

10 (B) For a Type 72 - Special on-sale general for-profit theater,
11 Napa County in cities of less than 40,000, but more than 20,000
12 population: the fee through September 30, 2019, is seven hundred
13 eleven dollars (\$711) and the fee on and after October 1, 2019, is
14 nine hundred seventy dollars (\$970).

15 (C) For a Type 72 - Special on-sale general for-profit theater,
16 Napa County in all other localities: the fee through September 30,
17 2019, is six hundred thirty-two dollars (\$632) and the fee on and
18 after October 1, 2019, is seven hundred fifty-five dollars (\$755).

19 (D) For a Duplicate Type 72 in cities of 40,000 population or
20 over: the fee through September 30, 2019, is six hundred
21 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
22 is seven hundred fifty-five dollars (\$755).

23 (E) For a Duplicate Type 72 in cities of less than 40,000, but
24 more than 20,000 population: the fee through September 30, 2019,
25 is four hundred thirteen dollars (\$413) and the fee on and after
26 October 1, 2019, is five hundred forty dollars (\$540).

27 (F) For a Duplicate Type 72 in all other localities: the fee
28 through September 30, 2019, is three hundred twenty-six dollars
29 (\$326) and the fee on and after October 1, 2019, is four hundred
30 thirty dollars (\$430).

31 (63) For a Type 73 - Special nonprofit sales: the fee through
32 September 30, 2019, is one hundred fourteen dollars (\$114) and
33 the fee on and after October 1, 2019, is one hundred sixty dollars
34 (\$160).

35 (64) For a Type 74 - Craft distilled spirits manufacturer: the fee
36 through September 30, 2019, is five hundred ten dollars (\$510)
37 and the fee on and after October 1, 2019, is seven hundred fifty-five
38 dollars (\$755).

39 (65) (A) For a Type 75 - Brewpub-restaurant in cities of 40,000
40 population or over: the fee through September 30, 2019, is nine

1 hundred seventy-one dollars (\$971) and the fee on and after
2 October 1, 2019, is one thousand one hundred ninety dollars
3 (\$1,190).

4 (B) For a Type 75 - Brewpub-restaurant in cities of less than
5 40,000, but more than 20,000 population: the fee through
6 September 30, 2019, is seven hundred eleven dollars (\$711) and
7 the fee on and after October 1, 2019, is nine hundred seventy
8 dollars (\$970).

9 (C) For a Type 75 - Brewpub-restaurant in all other localities:
10 the fee through September 30, 2019, is six hundred thirty-two
11 dollars (\$632) and the fee on and after October 1, 2019, is seven
12 hundred fifty-five dollars (\$755).

13 (D) For a Duplicate Type 75 in cities of 40,000 population or
14 over: the fee through September 30, 2019, is six hundred
15 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
16 is seven hundred fifty-five dollars (\$755).

17 (E) For a Duplicate Type 75 in cities of less than 40,000, but
18 more than 20,000 population: the fee through September 30, 2019,
19 is four hundred thirteen dollars (\$413) and the fee on and after
20 October 1, 2019, is five hundred forty dollars (\$540).

21 (F) For a Duplicate Type 75 in all other localities: the fee
22 through September 30, 2019, is three hundred twenty-six dollars
23 (\$326) and the fee on and after October 1, 2019, is four hundred
24 thirty dollars (\$430).

25 (66) (A) For a Type 76 - On-sale general maritime museum:
26 the fee through September 30, 2019, is two hundred seventeen
27 dollars (\$217) and the fee on and after October 1, 2019, is three
28 hundred twenty-five dollars (\$325).

29 (B) For a Duplicate Type 76: the fee through September 30,
30 2019, is seventy-seven dollars (\$77) and the fee on and after
31 October 1, 2019, is one hundred ten dollars (\$110).

32 (67) For a Type 77 - Event permit: the fee through September
33 30, 2019, is one hundred forty-six dollars (\$146) and the fee on
34 and after October 1, 2019, is two hundred fifteen dollars (\$215).

35 (68) (A) For a Type 78 - On-sale general wine, food and art
36 cultural museum in cities of 40,000 population or over: the fee
37 through September 30, 2019, is nine hundred seventy-one dollars
38 (\$971) and the fee on and after October 1, 2019, is one thousand
39 one hundred ninety dollars (\$1,190).

1 (B) For a Type 78 - On-sale general wine, food and art cultural
2 museum in cities of less than 40,000, but more than 20,000
3 population: the fee through September 30, 2019, is seven hundred
4 eleven dollars (\$711) and the fee on and after October 1, 2019, is
5 nine hundred seventy dollars (\$970).

6 (C) For a Type 78 - On-sale general wine, food and art cultural
7 museum in all other localities: the fee through September 30, 2019,
8 is six hundred thirty-two dollars (\$632) and the fee on and after
9 October 1, 2019, is seven hundred fifty-five dollars (\$755).

10 (D) For a Duplicate Type 78 in cities of 40,000 population or
11 over: the fee through September 30, 2019, is six hundred
12 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
13 is seven hundred fifty-five dollars (\$755).

14 (E) For a Duplicate Type 78 in cities of less than 40,000, but
15 more than 20,000 population: the fee through September 30, 2019,
16 is four hundred thirteen dollars (\$413) and the fee on and after
17 October 1, 2019, is five hundred forty dollars (\$540).

18 (F) For a Duplicate Type 78 in all other localities: the fee
19 through September 30, 2019, is three hundred twenty-six dollars
20 (\$326) and the fee on and after October 1, 2019, is four hundred
21 thirty dollars (\$430).

22 (69) For a Type 79 - Certified farmers' market: the fee through
23 September 30, 2019, is fifty-eight dollars (\$58) and the fee on and
24 after October 1, 2019, is one hundred ten dollars (\$110).

25 (70) For a Type 80 - Special on-sale general; per room: the fee
26 through September 30, 2019, is seventeen dollars (\$17) and the
27 fee on and after October 1, 2019, is twenty dollars (\$20).

28 (71) For a Type 81 - Wine sales event permit: the fee through
29 September 30, 2019, is fifty dollars (\$50) and the fee on and after
30 October 1, 2019, is one hundred ten dollars (\$110).

31 (72) For a Type 82 - Direct shipper permit: the fee through
32 September 30, 2019, is ten dollars (\$10) and the fee on and after
33 October 1, 2019, is twenty-five dollars (\$25).

34 (73) (A) For a Type 83 - On-sale general caterer's permit in
35 cities of 40,000 population or over: the fee through September 30,
36 2019, is nine hundred seventy-one dollars (\$971) and the fee on
37 and after October 1, 2019, is one thousand one hundred ninety
38 dollars (\$1,190).

39 (B) For a Type 83 - On-sale general caterer's permit in cities
40 of less than 40,000, but more than 20,000 population: the fee

1 through September 30, 2019, is seven hundred eleven dollars
2 (\$711) and the fee on and after October 1, 2019, is nine hundred
3 seventy dollars (\$970).

4 (C) For a Type 83 - On-sale general caterer’s permit in all other
5 localities: the fee through September 30, 2019, is six hundred
6 thirty-two dollars (\$632) and the fee on and after October 1, 2019,
7 is seven hundred fifty-five dollars (\$755).

8 (74) For a Type 84 - Certified farmers’ market beer: the fee
9 through September 30, 2019, is fifty-eight dollars (\$58) and the
10 fee on and after October 1, 2019, is one hundred ten dollars (\$110).

11 (75) For a Type 85 - Limited off-sale wine license: the fee
12 through September 30, 2019, is two hundred seventy-eight dollars
13 (\$278) and the fee on and after October 1, 2019, is three hundred
14 eighty dollars (\$380).

15 (76) For a Type 86 - Instructional tasting license: the fee through
16 September 30, 2019, is three hundred dollars (\$300) and the fee
17 on and after October 1, 2019, is three hundred eighty dollars
18 (\$380).

19 (77) (A) For a Type 87 - Neighborhood restricted special
20 on-sale in cities of 40,000 population or over: the fee through
21 September 30, 2019, is nine hundred seventy-one dollars (\$971)
22 and the fee on and after October 1, 2019, is one thousand one
23 hundred ninety dollars (\$1,190).

24 (B) For a Type 87 - Neighborhood restricted special on-sale in
25 cities of less than 40,000, but more than 20,000 population: the
26 fee through September 30, 2019, is seven hundred eleven dollars
27 (\$711) and the fee on and after October 1, 2019, is nine hundred
28 seventy dollars (\$970).

29 (C) For a Type 87 - Neighborhood restricted special on-sale in
30 all other localities: the fee through September 30, 2019, is six
31 hundred thirty-two dollars (\$632) and the fee on and after October
32 1, 2019, is seven hundred fifty-five dollars (\$755).

33 (D) For a Duplicate Type 87 in cities of 40,000 population or
34 over: the fee through September 30, 2019, is six hundred
35 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
36 is seven hundred fifty-five dollars (\$755).

37 (E) For a Duplicate Type 87 in cities of less than 40,000, but
38 more than 20,000 population: the fee through September 30, 2019,
39 is four hundred thirteen dollars (\$413) and the fee on and after
40 October 1, 2019, is five hundred forty dollars (\$540).

1 (F) For a Duplicate Type 87 in all other localities: the fee
2 through September 30, 2019, is three hundred twenty-six dollars
3 (\$326) and the fee on and after October 1, 2019, is four hundred
4 thirty dollars (\$430).

5 (78) (A) For a Type 88 - Special on-sale general license for
6 historic cemetery in cities of 40,000 population or over: the fee
7 through September 30, 2019, is nine hundred seventy-one dollars
8 (\$971) and the fee on and after October 1, 2019, is one thousand
9 one hundred ninety dollars (\$1,190).

10 (B) For a Type 88 - Special on-sale general license for historic
11 cemetery in cities of less than 40,000, but more than 20,000
12 population: the fee through September 30, 2019, is seven hundred
13 eleven dollars (\$711) and the fee on and after October 1, 2019, is
14 nine hundred seventy dollars (\$970).

15 (C) For a Type 88 - Special on-sale general license for historic
16 cemetery in all other localities: the fee through September 30,
17 2019, is six hundred thirty-two dollars (\$632) and the fee on and
18 after October 1, 2019, is seven hundred fifty-five dollars (\$755).

19 (D) For a Duplicate Type 88 in cities of 40,000 population or
20 over: the fee through September 30, 2019, is six hundred
21 ninety-nine dollars (\$699) and the fee on and after October 1, 2019,
22 is seven hundred fifty-five dollars (\$755).

23 (E) For a Duplicate Type 88 in cities of less than 40,000, but
24 more than 20,000 population: the fee through September 30, 2019,
25 is four hundred thirteen dollars (\$413) and the fee on and after
26 October 1, 2019, is five hundred forty dollars (\$540).

27 (F) For a Duplicate Type 88 in all other localities: the fee
28 through September 30, 2019, is three hundred twenty-six dollars
29 (\$326) and the fee on and after October 1, 2019, is four hundred
30 thirty dollars (\$430).

31 *(79) For a Type 89 - COVID-19 permanent caterer's*
32 *authorization: the fee is one hundred dollars (\$100).*

33 *(80) For a Type 90 - Music venue license in cities of 40,000*
34 *population or over: the fee is one thousand one hundred ninety*
35 *dollars (\$1,190).*

36 *(81) For a Type 90 - Music venue license in cities of less than*
37 *40,000, but more than 20,000 population: the fee is nine hundred*
38 *seventy dollars (\$970).*

39 *(82) For a Type 90 - Music venue license in all other localities:*
40 *the fee is seven hundred fifty-five dollars (\$755).*

1 (c) (1) In addition to the application fee for a new permanent
2 license as specified in subdivision (a), an annual renewal fee, as
3 set forth in subdivision (b), shall accompany the application. The
4 application fee shall be nonrefundable up to the amount of the
5 application fee in paragraph (1) of subdivision (a), as adjusted by
6 subdivisions (d) and (e). The annual fee provided at the time of
7 application shall allow the license to be active for one year from
8 the date of issuance and shall be refundable only in the event that
9 the license application is withdrawn or denied.

10 (2) If an application includes multiple new permanent licenses
11 to be issued at the same premises, the application fee shall be
12 required for only one of the applied-for licenses and an application
13 fee shall not be charged for the remainder of the licenses. In
14 situations involving different license types, the application fee to
15 be paid shall be the highest such fee as specified in subdivision
16 (a). Notwithstanding this provision, the annual renewal fee required
17 pursuant to this subdivision shall be payable for each license.

18 (d) Beginning January 1, 2021, and each January 1 thereafter,
19 the department may adjust each of the fees specified in this section
20 by increasing each fee by an amount not to exceed the percentage
21 that the California Consumer Price Index (California Department
22 of Industrial Relations, Division of Labor Statistics and Research,
23 All Items, Base Period 1982-84=100) for the preceding August
24 2019, and each August annually thereafter, has increased under
25 the same index over the month of August 2018, which shall be the
26 base period. The department shall not adjust fees pursuant to this
27 section if the balance of the Alcohol Beverage Control Fund at the
28 end of the prior fiscal year is greater than one-fourth of the
29 department's appropriation from the Alcohol Beverage Control
30 Fund for the current fiscal year. No fee shall be decreased pursuant
31 to this adjustment below the fee currently in effect on each
32 December 31. If the accumulation of percentage increases is greater
33 than 8 percent, the department shall not adjust fees without the
34 Legislature's approval through the budget process. In the event
35 that this index is discontinued, the department shall consult with
36 the Department of Finance to convert the increase calculations to
37 an index then available. When approved by the Department of
38 Finance, the new index shall replace the discontinued index.

39 (e) When fees are adjusted pursuant to subdivision (d), the
40 department shall calculate the percentage increase as specified in

1 that subdivision and shall apply this increase to each fee. The
2 increase to each fee shall be rounded to the nearest whole five
3 dollars (\$5). The adjusted fee list, to be effective on January 1 of
4 the upcoming year, shall be published by the department on its
5 internet website and transmitted in writing to the Chairperson of
6 the Joint Legislative Budget Committee no later than January 10
7 of the year before it becomes effective. This adjustment of fees
8 and publication of the adjusted fee list is not subject to the
9 requirements of Chapter 3.5 (commencing with Section 11340) of
10 Part 1 of Division 3 of Title 2 of the Government Code.

11 SEC. 2. Section 23398.9 is added to the Business and
12 Professions Code, to read:

13 23398.9. (a) A licensee under an on-sale general license, may
14 apply to the department for a COVID-19 permanent caterer's
15 authorization. A licensee shall not be required to have a caterer's
16 permit issued pursuant to Section 23399 to qualify for this
17 authorization. The COVID-19 permanent caterer's authorization
18 authorizes the on-site consumption of those alcoholic beverages
19 for which the licensee has on-sale privileges on property that is
20 adjacent to the licensed premises and that is under the control of
21 the licensee.

22 (b) Adjacent areas under the control of the licensee include, but
23 are not limited to, all of the following:

24 (1) Indoor areas that are accessible from within the licensed
25 premises but not currently licensed.

26 (2) Outdoor areas that are accessible from the licensed premises
27 but not currently licensed.

28 (3) Indoor and outdoor areas under the control of the licensee
29 and one or more other businesses.

30 (4) Parking lots.

31 (5) Sidewalks and other public thoroughfares that are closed to
32 public access during the period of service.

33 (6) Other areas within close proximity to the licensed premises
34 that are immediately accessible to the licensee, and that are secured
35 by and under the control of the licensee.

36 (c) In all adjacent areas described in subdivision (b), the licensee
37 may exercise only those privileges authorized by the licensee's
38 license and shall comply with all provisions of the act pertaining
39 to the conduct of on-sale premises. A violation of those provisions
40 may be grounds for suspension or revocation of the licensee's

1 license or authorization, or both, as though the violation occurred
2 on the licensed premises.

3 (d) (1) If the authorized adjacent area is utilized by one or more
4 other licensees, all licensees sharing the area shall be jointly
5 responsible for compliance with all applicable laws and rules
6 pertaining to their respective licenses and authorizations and for
7 any violations that occur within the shared common authorized
8 adjacent area. A licensee may terminate its liability for a shared
9 common authorized area by canceling its COVID-19 permanent
10 caterer's authorization at any time.

11 (2) Each licensee sharing the common authorized adjacent area
12 shall have a separate COVID-19 permanent caterer's authorization.

13 (3) An on-sale public premises licensee shall not share an area
14 with a nonpublic premises licensee.

15 (e) Licensees who possess an active COVID-19 temporary
16 catering authorization on January 1, 2022, issued by the department
17 may continue operating pursuant to that authorization until it
18 expires. Thereafter, the licensee may apply for a COVID-19
19 permanent caterer's authorization pursuant to this section.

20 (f) The fee for a COVID-19 permanent caterer's authorization
21 shall be the annual fee as specified in subdivision (b) of Section
22 23320 and the permit may be renewable annually at the same time
23 as the licensee's license. A COVID-19 permanent caterer's
24 authorization shall be transferable as a part of the license.

25 (g) The department shall expedite the review of an application
26 for a COVID-19 permanent caterer's authorization and shall
27 approve or deny an application no later than six months after
28 receiving the application.

29 SEC. 3. Section 23399 of the Business and Professions Code
30 is amended to read:

31 23399. (a) An on-sale general license authorizes the sale of
32 beer, wine, and distilled spirits for consumption on the premises
33 where sold. Any licensee under an on-sale general license, an
34 on-sale beer and wine license, a club license, or a veterans' club
35 license may apply to the department for a caterer's permit. A
36 caterer's permit under an on-sale general license shall authorize
37 the sale of beer, wine, and distilled spirits for consumption at
38 conventions, sporting events, trade exhibits, picnics, social
39 gatherings, or similar events held any place in the state approved
40 by the department. A caterer's permit under an on-sale beer and

1 wine license shall authorize the sale of beer and wine for
2 consumption at conventions, sporting events, trade exhibits,
3 picnics, social gatherings, or similar events held any place in the
4 state approved by the department. A caterer's permit under a club
5 license or a veterans' club license shall authorize sales at these
6 events only upon the licensed club premises.

7 (b) Any licensee under an on-sale general license or an on-sale
8 beer and wine license may apply to the department for an event
9 permit. An event permit under an on-sale general license or an
10 on-sale beer and wine license shall authorize, at events held no
11 more frequently than four days in any single calendar year, the
12 sale of beer, wine, and distilled spirits only under an on-sale general
13 license or beer and wine only under an on-sale beer and wine
14 license for consumption on property adjacent to the licensed
15 premises and owned or under the control of the licensee. This
16 property shall be secured and controlled by the licensee and not
17 visible to the general public.

18 (c) (1) This section shall in no way limit the power of the
19 department to issue special licenses under the provisions of Section
20 24045 or to issue daily on-sale general licenses under the provisions
21 of Section 24045.1. Consent for sales at each event shall be first
22 obtained from the department in the form of a catering or event
23 authorization issued pursuant to rules prescribed by it. Any event
24 authorization shall be subject to approval by the appropriate local
25 law enforcement agency. The daily fee for each catering or event
26 authorization shall be based on the estimated attendance at each
27 day of the event, as follows:

28 (A) One hundred dollars (\$100) when anticipated attendance is
29 less than 1,000 people.

30 (B) Three hundred twenty-five dollars (\$325) when anticipated
31 attendance is at least 1,000 people and less than 5,000 people.

32 (C) One thousand dollars (\$1,000) when anticipated attendance
33 is 5,000 people or more.

34 (2) All fees collected pursuant to this section shall be deposited
35 in the Alcohol Beverage Control Fund as provided in Section
36 25761.

37 (d) At all approved events, the licensee may exercise only those
38 privileges authorized by the licensee's license and shall comply
39 with all provisions of the act pertaining to the conduct of on-sale
40 premises and violation of those provisions may be grounds for

1 suspension or revocation of the licensee’s license or permit, or
2 both, as though the violation occurred on the licensed premises.

3 (e) The fee for a caterer’s permit for a licensee under an on-sale
4 general license, a caterer’s permit for a licensee under an on-sale
5 beer and wine license, or an event permit for a licensee under an
6 on-sale general license or an on-sale beer and wine license shall
7 be the annual fee as specified in subdivision (b) of Section 23320,
8 and the fee for a caterer’s permit for a licensee under a club license
9 or a veterans’ club license shall be as specified in Section 23320,
10 and the permit may be renewable annually at the same time as the
11 licensee’s license. A caterer’s or event permit shall be transferable
12 as a part of the license.

13 (f) *The department shall expedite the review of an application*
14 *for a caterer’s permit.*

15 SEC. 4. Section 23406 is added to the Business and Professions
16 Code, to read:

17 23406. Notwithstanding any other provision of law, a licensee
18 under an on-sale license issued for public premises may permit a
19 person under the age of 21 years to enter and remain on the licensed
20 premises provided that alcoholic beverages are not sold, served,
21 or consumed on the premises during the time that a person under
22 the age of 21 years is present.

23 SEC. 5. Section 23407 is added to the Business and Professions
24 Code, to read:

25 23407. A licensee that shares a licensed premises with another
26 licensee but does not operate under their license at the same time
27 as the other licensee shall be responsible for compliance with the
28 provisions of this division and for any violations that occur on the
29 licensed premises only during the time when that licensee operates
30 under their license.

31 SEC. 6. Article 7 (commencing with Section 23550) is added
32 to Chapter 3 of Division 9 of the Business and Professions Code,
33 to read:

34

35 Article 7. Music Venue License

36

37 23550. For purposes of this article:

38 (a) “Agreement” includes any amendment, modification, other
39 revision, or extensions to the agreement if it relates in any manner

1 to the purchase of advertising space and time at the music
2 entertainment facility from the owner or major tenant of the facility.

3 (b) “Authorized licensee” means a winegrower, rectifier,
4 California winegrower’s agent, beer manufacturer, holder of an
5 out-of-state beer manufacturer’s certificate, distilled spirits
6 manufacturer, holder of a distilled spirits rectifier’s general license,
7 distilled spirits manufacturer’s agent, brandy manufacturer, holder
8 of an out-of-state distilled spirits shipper’s certificate, holder of a
9 distilled spirits importer’s general license, craft distiller, or holder
10 of a beer and wine importer’s general license.

11 (c) “On-sale licensee” means a person holding an on-sale general
12 music venue license to serve alcoholic beverages on the premises
13 of a music entertainment facility.

14 (d) “Music venue license” means an on-sale general for music
15 entertainment facility bona fide public eating place license issued
16 pursuant to this article.

17 (e) “Music entertainment facility” means a publicly or privately
18 owned concert hall, auditorium, or an enclosed arena with a
19 spectator capacity exceeding 25 people where music or
20 entertainment events are presented for a price of admission. The
21 facility does not have to be used exclusively for music or
22 entertainment events.

23 23552. (a) In addition to the licenses specified in Section
24 23320, the department may issue a music venue license to sell
25 beer, wine, and distilled spirits at retail for consumption upon the
26 premises only.

27 (b) The music venue license may be issued to the person
28 providing alcoholic beverage and food service at the music
29 entertainment facility. Except as provided in this section, only
30 licensees with a music venue license are authorized to sell beer,
31 wine, and distilled spirits at retail for consumption upon the
32 premises of the music entertainment facility. The license shall only
33 be transferable from person to person at the same premises. A
34 music venue license shall not be transferred for a purchase price
35 or consideration in excess of the original fee paid for that license.

36 (c) (1) Issuance of the license shall be subject to the provisions
37 of Section 23958.4.

38 (2) Issuance of the license shall not be subject to the provisions
39 of Section 23816.

1 (d) An on-sale licensee may permit a person under 21 years of
2 age into the music entertainment facility for a price of admission.
3 This subdivision does not authorize the on-sale licensee to sell,
4 furnish, or give any alcoholic beverages to a person under 21 years
5 of age, or to engage in any other activity not otherwise authorized
6 by this division.

7 (e) (1) Any person providing alcoholic beverage and food
8 service at a music entertainment facility pursuant to another type
9 of on-sale license as of the effective date of this section shall obtain
10 a music venue license within 12 months of the effective date of
11 this section if that person provides alcoholic beverage and food
12 service at the facility on or after January 1, 2022. The person may
13 elect to surrender that existing license in exchange for a music
14 venue license or may transfer that license pursuant to applicable
15 law. If, after a license surrender and exchange, the on-sale licensee
16 that surrendered and exchanged its license for a music venue
17 license no longer provides alcoholic beverage and food service at
18 that facility, the on-sale licensee may surrender and exchange the
19 music venue license for the licensee's original license, subject to
20 any applicable provisions of this division.

21 (2) The department may modify its rules regarding the surrender
22 of licenses to implement this subdivision.

23 23553. The music venue license is subject to all of the
24 following conditions:

25 (a) Except as otherwise provided in this chapter, a person
26 holding a music venue license shall not enter into any agreement
27 with any authorized licensee for the purchase of advertising space
28 and time at the music entertainment facility, including the premises
29 of the on-sale licensee.

30 (b) (1) For any music entertainment facility at which an
31 authorized licensee has entered into an agreement with the owner
32 or major tenant of the facility for the purchase of advertising space
33 and time at the facility, any on-sale licensee shall serve other brands
34 of beer distributed by a competing wholesaler that are not the
35 brands of beer sold, manufactured, or marketed by an authorized
36 licensee, other brands of wine distributed by a competing
37 wholesaler that are not the brands of wine sold, manufactured, or
38 marketed by an authorized licensee, and other brands of distilled
39 spirits distributed by a competing wholesaler that are not the brands
40 sold, manufactured, or marketed by an authorized licensee that

1 purchased the advertising space and time. An on-sale licensee may
2 also serve brands of beer that are manufactured and provided by
3 an unaffiliated, competing licensed beer manufacturer that are not
4 the brands of beer sold, manufactured, or marketed by an
5 authorized licensee that purchased the advertising space and time.

6 (2) For the purpose of this subdivision, brands of an authorized
7 licensee purchasing the advertising space and time shall mean
8 brands of beer, wine, or distilled spirits that are sold, manufactured,
9 or marketed by the authorized licensee or sold, manufactured, or
10 marketed by any subsidiary or other business entity of the
11 authorized licensee that the authorized licensee owns, manages,
12 or controls.

13 23554. Notwithstanding any other provision of this division,
14 an authorized licensee may purchase advertising space and time
15 at a music entertainment facility from the owner or major tenant
16 of the facility that is not a licensee under this article, subject to the
17 following conditions:

18 (a) The purchase of advertising space and time shall be
19 conducted pursuant to a written agreement entered into by the
20 authorized licensee and the owner or major tenant of the facility
21 containing all the terms and conditions of such purchase.

22 (b) (1) The authorized licensee shall submit to the department
23 within 15 days of execution of the agreement a declaration stating
24 that the authorized licensee has entered into a written agreement
25 for the purchase of advertising space and time at a music
26 entertainment facility pursuant to and in compliance with the
27 provisions of this section, along with a fee of two thousand five
28 hundred dollars (\$2,500) to cover the reasonable administrative
29 costs of the department. The declaration shall further state the
30 name and address of the music entertainment facility, the names
31 of the parties to the agreement, and the time period that agreement
32 will continue in effect. The authorized licensee shall notify the
33 department within 15 days of any amendment, extension,
34 modification, or renewal of that agreement or of any new
35 agreement.

36 (2) The declaration shall also state that there is no financial
37 arrangement or agreement, written or oral, between the authorized
38 licensee and the owner or major tenant of the facility or with any
39 on-sale licensee that provides for the on-sale licensee to receive a

1 share of the revenues, or anything of value, directly or indirectly,
2 from the advertising agreement.

3 (3) The declaration required by this subdivision shall not be
4 under penalty of perjury. Failure to comply with this subdivision
5 or the filing of a false declaration shall be subject to license
6 suspension by the department.

7 (c) The agreement shall not contain any of the following terms
8 or conditions:

9 (1) The agreement is conditioned on the purchase or sale of the
10 authorized licensee’s brands of alcoholic beverages by the on-sale
11 licensee or limits the purchase and sale of competing brands of
12 alcoholic beverages manufactured, distributed, sold, or marketed
13 by other authorized licensees at the facility by the on-sale licensee.

14 (2) The agreement provides for anything of value to be
15 furnished, directly or indirectly, to the on-sale licensee.

16 (3) Any term or condition that violates any provision of this
17 division.

18 (d) In monitoring the impacts of any agreements authorized by
19 this article, the department may conduct audits to determine
20 compliance with this section. Audits may include, but are not
21 limited to, brand selection at the music entertainment facility,
22 purchase patterns of the on-sale licensee, and review of any
23 agreement or amendments to an agreement or any other contractual
24 or financial arrangement, written or oral, between or among the
25 parties to the agreement and the on-sale licensee, including any
26 affiliated business of the on-sale licensee or any affiliated business
27 of the authorized licensee.

28 (e) The department shall penalize a violation of any provision
29 of this section by the suspension of the authorized licensee’s license
30 or by a fine equal to the contract value of the agreement for
31 advertising.

32 23555. The Legislature finds and declares all of the following:

33 (a) Statutes to implement a three-tier system, which requires a
34 separation between manufacturing interests, wholesale interests,
35 and retail interests in the production, distribution, and sale of
36 alcoholic beverages, are as proper and necessary to the public
37 welfare in the 21st Century as they were when first enacted
38 following the enactment of the 21st Amendment to the United
39 States Constitution and the repeal of prohibition; that the three-tier
40 system by requiring economic separation between the tiers

1 contributes to a fair, open, and competitive market resulting in
2 interbrand and other competition within each tier, thereby
3 broadening consumer choices; and that it also prevents disorderly
4 market conditions arising from the domination of local markets
5 through vertical integration leading to excessive sales of alcoholic
6 beverages and consumption produced by overly aggressive
7 marketing techniques, including, but not limited to, the domination
8 of local markets and the undue economic influence of one tier over
9 another. The Legislature further affirms that temperance is
10 achieved, consistent with the structural regulation that promotes
11 a competitive and orderly market, by controlled access to, and
12 responsible use and consumption of, alcoholic beverages by
13 persons of legal drinking age.

14 (b) The enactment of tied-house restrictions are necessary
15 economic regulations that serve important public interests, and the
16 restrictions prohibiting a manufacturer or wholesaler from
17 furnishing, giving, or lending any money or other thing of value
18 to a retail licensee, or from paying or compensating a retailer for
19 advertising as provided in Section 25503, are necessary to promote
20 and maintain an orderly competitive market that is open and
21 accessible to all brands and to prevent manufacturers from
22 dominating local markets through payment of incentives and
23 compensation to retailers. The Legislature further finds and declares
24 that limited exceptions have been made to this general prohibition
25 to promote an identifiable public purpose and interest for the
26 exception, which have been limited to the express terms of the
27 exception so as to not undermine the general prohibition.

28 (c) Because this system of prohibition with limited, specific
29 exceptions may be incorrectly construed to undermine the general
30 prohibition despite legislative directives to the contrary, this section
31 is necessary to clarify and reenforce the general prohibition as
32 provided in Section 25503.

33 (d) There may be instances where the community public interest
34 and welfare would benefit from the music entertainment facility
35 owner or its major tenant being able to receive revenue for the
36 advertisement of alcoholic beverages on the premises of the facility.
37 Therefore, this article is enacted to authorize manufacturers of
38 alcoholic beverages to enter into agreements with the owner or
39 major tenant of a music entertainment facility for the placement
40 of brand advertisements upon the premises of the facility where

1 the alcoholic beverage sales on the facility premises are conducted
2 by a separate, independent entity who is the on-sale general licensee
3 and does not share in the advertising revenue.

4 (e) The provisions of this article and other exceptions in this
5 division to the general prohibition against tied interests must be
6 narrowly construed and limited to the express terms of the
7 exception so as not to undermine the general prohibition. The
8 Legislature expressly intends that this article and division be
9 construed in accordance with these findings.

10 SEC. 7. Section 24300 of the Business and Professions Code
11 is amended to read:

12 24300. (a) Any hearings held on a protest, accusation, or
13 petition for a license shall be held in the county in which the
14 premises or licensee is located; provided, that hearings before the
15 department itself on reconsideration or under subdivision (c) of
16 Section 11517 of the Government Code may be held at any place
17 in the state where the department is meeting. Except as provided
18 in Section 24203 and in this section, the proceedings shall be
19 conducted in accordance with Chapter 5 (commencing with Section
20 11500) of Part 1 of Division 3 of Title 2 of the Government Code,
21 and in all cases the department shall have all the powers granted
22 therein. The department, in its exclusive discretion, shall consider
23 scheduling the hearing at a time, including evening hours, and at
24 a place convenient to all parties to a proceeding, including those
25 witnesses required to be present, and the public affected.

26 (b) Notwithstanding the provisions of subdivision (a), if a protest
27 is filed against an application for a license and the proposed
28 premises are located within a city, the department may, in its
29 discretion, hold the hearing within that city, unless the protest is
30 filed by the governing body of the city, in which case the
31 department shall hold the hearing within that city.

32 (c) For any hearing held pursuant to this division, the department
33 may delegate the power to hear and decide to an administrative
34 law judge appointed by the director. Any hearing before an
35 administrative law judge shall be pursuant to the procedures, rules,
36 and limitations prescribed in Chapter 5 (commencing with Section
37 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

38 (d) *The department shall hold any hearing held pursuant to this*
39 *division within six months after the filing of a protest, accusation,*
40 *or petition for a license.*

1 SEC. 8. Section 25600.5 of the Business and Professions Code
2 is amended to read:

3 25600.5. Notwithstanding any other provision of this division,
4 a manufacturer of distilled spirits, distilled spirits manufacturer's
5 agent, out-of-state distilled spirits shipper's certificate holder,
6 winegrower, rectifier, or distiller, or its authorized unlicensed
7 agent, may provide, free of charge, entertainment, food, and
8 distilled spirits, wine, or nonalcoholic beverages to consumers at
9 an invitation-only event in connection with the sale or distribution
10 of wine or distilled spirits, subject to the following conditions:

11 (a) No licensee, other than those specified in this section, may
12 conduct or participate in any portion of an event authorized by this
13 section. A licensee authorized to conduct an event pursuant to this
14 section shall not be precluded from doing so on the basis of holding
15 any other type of alcoholic beverage license.

16 (b) An event authorized by this section shall be conducted on
17 either the:

18 (1) Premises for which a caterer's authorization has been issued,
19 except that any event held on the premises of a licensed winegrower
20 shall not be authorized to provide any distilled spirits other than
21 brandy.

22 (2) Premises of a hotel holding an on-sale beer and wine or
23 on-sale general license, except an event shall not be conducted in
24 the lobby area of a hotel or in any portion of a hotel that is
25 identified, promoted, or otherwise designated by the hotel as a
26 club, nightclub, or other similar entertainment venue. For purposes
27 of this paragraph, "hotel" means any hotel, motel, resort, bed and
28 breakfast inn, or other similar transient lodging establishment, but
29 it does not include any residential hotel as defined in Section 50519
30 of the Health and Safety Code.

31 (c) A hotel where the event authorized by this section is being
32 conducted shall maintain, during all times while exercising its
33 license privileges, other areas within the licensed premises that
34 shall be made readily available to the public not attending the
35 authorized event.

36 (d) Except as provided in paragraph (2) of subdivision (b), an
37 event authorized by this section shall not be conducted on premises
38 for which a permanent retail license has been issued.

39 (e) Except for fair market value payments authorized pursuant
40 to this section, a retail licensee, including the licensed caterer or

1 the licensed hotel, shall not receive, nor shall the licensee
2 conducting the event give, any other item of value or benefit in
3 connection with events authorized by this section.

4 (f) The person authorized by this section to provide, free of
5 charge, entertainment, food, and beverages shall be present during
6 the event.

7 (g) The person authorized by this section to provide, free of
8 charge, entertainment, food, and beverages shall have sole
9 responsibility for providing payment for the entertainment, food,
10 beverages, and rental fees at the event. Payments for entertainment,
11 food, beverages, and rental fees shall not exceed fair market value.
12 No other licensed person shall be authorized, under this section,
13 to provide any portion of these payments.

14 (h) Requests for attendance at the event shall be by invitation
15 sent to consumers over 21 years of age at a specific address via
16 mail or email, by telephone, or presented in person. Invitations or
17 other advertisements of the event shall not be disseminated by any
18 other means. Invitations shall not be sent by the authorized person
19 or their authorized unlicensed agent inviting all of the employees
20 of a retail licensee or a chain of retail licensees under common
21 ownership to an authorized event.

22 (i) Attendance at the event shall be limited to consumers who
23 receive and accept an invitation to the event. Invited consumers
24 may each invite one guest. All attendees shall be over 21 years of
25 age. The total number of consumers and their guests allowed at
26 any event authorized by this section shall not exceed 600 people.
27 Admittance to the event shall be controlled by a list containing the
28 names of consumers who accepted the invitation and their guests.
29 The persons identified in this section shall be responsible for
30 compliance.

31 (j) No premium, gift, free goods, or other thing of value may
32 be given away in connection with the event, except as authorized
33 by this division.

34 (k) The duration of any event authorized by this section shall
35 not exceed four hours.

36 ~~(l) (1) Subject to paragraph (3), a person authorized to conduct~~
37 ~~events pursuant to this section shall not conduct more than 12~~
38 ~~events in a calendar year where the consumers and guests in~~
39 ~~attendance exceed 100 people, and not more than 24 events in a~~

1 calendar year where the consumers and guests in attendance is 100
2 people or fewer.

3 ~~(2) The limitation on events authorized by this section shall be~~
4 ~~by person, whether that person holds a single license or multiple~~
5 ~~licenses. If a person holds multiple licenses, the limitation shall~~
6 ~~be applied to the person holding the license, not by type of license.~~

7 ~~(3) A licensee authorized to conduct events pursuant to this~~
8 ~~section shall not conduct more than two events in a calendar year~~
9 ~~on the premises of any single licensed hotel or other licensed hotel~~
10 ~~under the same or common ownership.~~

11 ~~(4)~~

12 ~~(l) (1) The licensee conducting the event shall not advertise~~
13 ~~any retail licensee. If the event is held on the premises of a retail~~
14 ~~licensee as permitted by this section, the licensee conducting the~~
15 ~~event may list the retailer's name and address in the invitation and~~
16 ~~any related advertising for the sole purpose of identifying the~~
17 ~~location of the event. The listing of the retailer's name and address~~
18 ~~shall be the only reference to the retail licensee and shall be~~
19 ~~relatively inconspicuous in relation to the invitation or~~
20 ~~advertisement as a whole. Pictures or illustrations of the retailer's~~
21 ~~premises, or laudatory references to the retailer, shall not be~~
22 ~~permitted.~~

23 ~~(5)~~

24 ~~(2) (A) Other than as specifically authorized by this section,~~
25 ~~alcoholic beverage promotions of any sort shall not be conducted~~
26 ~~by any licensee in conjunction with an event held on the premises~~
27 ~~of a retail licensee pursuant to this section. This restriction includes~~
28 ~~any discounted drink specials offered by the retail licensee to~~
29 ~~consumers.~~

30 ~~(B) For purposes of this paragraph, "in conjunction with" means~~
31 ~~during an event and any period within 24 hours before and 24~~
32 ~~hours following an event.~~

33 ~~(6)~~

34 ~~(3) A retail licensee shall conspicuously offer for sale alcoholic~~
35 ~~beverages other than the products produced, distributed, bottled,~~
36 ~~or otherwise offered for sale by the licensee conducting the event.~~

37 ~~(m) At least 30 days prior to an event, the licensee, or its~~
38 ~~authorized unlicensed agent, authorized to conduct the event shall~~
39 ~~apply to the department for a permit authorizing the event. In~~
40 ~~addition to any other information required by the department, the~~

1 licensee shall provide the department all of the following
2 information:

- 3 (1) The name of the company authorized to conduct the event.
- 4 (2) The number of people planned to be in attendance.
- 5 (3) The start and end times for the event.
- 6 (4) The location of the event.
- 7 (5) The name of the caterer, if required, obtaining the caterer's
8 authorization for the event.

9 (n) All alcoholic beverages provided pursuant to this section
10 shall be purchased from the holder of the caterer's permit or the
11 licensed hotel, as applicable.

12 (o) All alcoholic beverages served at an event authorized by
13 this section shall be served in accordance with Sections 25631 and
14 25632.

15 (p) No person authorized to conduct an event pursuant to this
16 section shall hold such an event at the same location more than
17 eight times in a calendar year.

18 (q) The person authorized to conduct an event under this section
19 may provide attendees at the event with a free ride home. The free
20 rides shall only constitute free ground transportation to attendees'
21 homes or to hotels or motels where attendees are staying.

22 (r) In addition to the prescribed fee imposed upon a licensed
23 caterer to conduct an event authorized by this section, a fee of two
24 hundred dollars (\$200) shall be collected by the department from
25 the licensee, or its authorized unlicensed agent, authorized by this
26 section to provide, free of charge, entertainment, and beverages
27 at an authorized event. This fee may be adjusted by the department
28 pursuant to subdivisions (d) and (e) of Section 23320.

29 (s) All licensees involved in events held pursuant to this section
30 shall be responsible for compliance with this section, and with all
31 other provisions of this division in connection with these events,
32 and each may be subject to discipline for violation of this division.

33 (t) The Legislature finds and declares both of the following:

- 34 (1) That it is necessary and proper to require a separation
35 between manufacturing interests, wholesale interests, and retail
36 interests in the production and distribution of alcoholic beverages
37 in order to prevent suppliers from dominating local markets through
38 vertical integration and to prevent excessive sales of alcoholic
39 beverages produced by overly aggressive marketing techniques.

1 (2) Any exception established by the Legislature to the general
2 prohibition against tied interests must be limited to the express
3 terms of the exception so as to not undermine the general
4 prohibitions.

5 (u) This section shall remain in effect only until January 1, 2023,
6 and as of that date is repealed.

7 SEC. 9. Section 25607 of the Business and Professions Code
8 is amended to read:

9 25607. (a) Except as provided in subdivisions (b), (c), ~~and (d)~~,
10 (d), and (e), it is unlawful for any person or licensee to have upon
11 any premises for which a license has been issued any alcoholic
12 beverages other than the alcoholic beverage which the licensee is
13 authorized to sell at the premises under their license. It shall be
14 presumed that all alcoholic beverages found or located upon
15 premises for which licenses have been issued belong to the person
16 or persons to whom the licenses were issued. Every person
17 violating the provisions of this section is guilty of a misdemeanor.
18 The department may seize any alcoholic beverages found in
19 violation of this section.

20 (b) Except as provided in subdivision (c), a bona fide public
21 eating place for which an on-sale beer and wine license has been
22 issued may have upon the premises brandy, rum, or liqueurs for
23 use solely for cooking purposes.

24 (c) (1) A licensed winegrower, licensed beer manufacturer that
25 holds a small beer manufacturer's license, and a licensed craft
26 distiller, in any combination, whose licensed premises of
27 production are immediately adjacent to each other and which are
28 not branch offices, may, with the approval of the department and
29 under such conditions as the department may require, share a
30 common licensed area in which the consumption of alcoholic
31 beverages is permitted, only under all of the following
32 circumstances:

33 (A) The shared common licensed area is adjacent and contiguous
34 to the licensed premises of the licensees.

35 (B) The licensed premises of the licensees are not branch offices.

36 (C) The shared common licensed area shall be readily accessible
37 from the premises of the licensees without the necessity of using
38 a public street, alley, or sidewalk.

39 (D) Except as otherwise authorized by this division, the alcoholic
40 beverages that may be consumed in the shared common licensed

1 area shall be purchased by the consumer only from the licensed
2 winegrower, the licensed beer manufacturer, or the licensed craft
3 distiller.

4 (E) The licensed winegrower, the licensed beer manufacturer,
5 and the licensed craft distiller shall be jointly responsible for
6 compliance with the provisions of this division and for any
7 violations that may occur within the shared common licensed area.

8 (2) Nothing in this subdivision is intended to authorize the
9 licensed winegrower, the licensed beer manufacturer, or the
10 licensed craft distiller to sell, furnish, give, or have upon their
11 respective licensed premises any alcoholic beverages, or to engage
12 in any other activity, not otherwise authorized by this division,
13 including, without limitation, the consumption on the premises of
14 any distilled spirits purchased by consumers for consumption off
15 the premises pursuant to Section 23504 or the consumption of
16 distilled spirits other than as permitted by Section 23363.1.

17 (d) The holder of a beer manufacturer's license, winegrower's
18 license, brandy manufacturer's license, distilled spirits
19 manufacturer's license, craft distiller's license, any rectifier's
20 license, any importer's license, or any wholesaler's license, that
21 holds more than one of those licenses for a single premises, may
22 have alcoholic beverages that are authorized under those licenses
23 at the same time anywhere within the premises for purposes of
24 production and storage, if the holder of the licenses maintains
25 records of production and storage that identify the specific location
26 of each alcoholic beverage product within the premises. Nothing
27 in this subdivision is intended to allow a licensee to hold licenses,
28 alone or in combination, or to exercise any license privileges, not
29 otherwise provided for or authorized by this division.

30 (e) (1) *Two or more on-sale general licensees whose licensed*
31 *premises are immediately adjacent to each other and which are*
32 *not branch offices, may, with the approval of the department and*
33 *under such conditions as the department may require, share a*
34 *common licensed area in which the consumption of alcoholic*
35 *beverages is permitted, only under all of the following*
36 *circumstances:*

37 (A) *The shared common licensed area is adjacent and*
38 *contiguous to the licensed premises of the licensees.*

39 (B) *The licensed premises of the licensees are not branch offices.*

1 (C) *The shared common licensed area shall be readily accessible*
2 *from the premises of the licensees without the necessity of using*
3 *a public street, alley, or sidewalk.*

4 (D) *Except as otherwise authorized by this division, the alcoholic*
5 *beverages that may be consumed in the shared common licensed*
6 *area shall be purchased by the consumer only from the licensees.*

7 (E) *The licensees shall be jointly responsible for compliance*
8 *with the provisions of this division and for any violations that*
9 *occur within the shared common licensed area.*

10 (2) *Notwithstanding any other law, the licensees may permit a*
11 *minor into the shared common licensed area outside of the hours*
12 *when alcohol is served.*

13 (3) *Nothing in this subdivision is intended to authorize the*
14 *licensees to sell, furnish, give, or have upon their respective*
15 *licensed premises any alcoholic beverages, or to engage in any*
16 *other activity, not otherwise authorized by this division, including,*
17 *without limitation, the consumption on the premises of any distilled*
18 *spirits purchased by consumers for consumption off the premises*
19 *pursuant to Section 23504 or the consumption of distilled spirits*
20 *other than as permitted by Section 23363.1.*

21 SEC. 10. Section 25665 of the Business and Professions Code
22 is amended to read:

23 25665. ~~Any~~ *Except as otherwise provided in Section 23406,*
24 *any licensee under an on-sale license issued for public premises,*
25 *as defined in Section 23039, who permits a person under the age*
26 *of 21 years to enter and remain in the licensed premises without*
27 *lawful business therein is guilty of a misdemeanor.* ~~Any~~ *Except*
28 *as otherwise provided in Section 23406, any person under the age*
29 *of 21 years who enters and remains in the licensed public premises*
30 *without lawful business therein is guilty of a misdemeanor and*
31 *shall be punished by a fine of not less than two hundred dollars*
32 *(\$200), no part of which shall be suspended.*

33 SEC. 11. Section 65863.15 is added to the Government Code,
34 to read:

35 65863.15. (a) A city, including a charter city, county, or city
36 and county, may allow in a commercial zone the consumption of
37 alcoholic beverages, including the possession of any can, bottle,
38 or other receptacle containing any alcoholic beverage that has been
39 opened, or a seal broken, or the contents of which have been
40 partially removed.

1 (b) The consumption of alcoholic beverages and possession of
2 open containers permitted pursuant to subdivision (a) remain
3 subject to regulation under Section 647 of the Penal Code and
4 Sections 23223 and 23225 of the Vehicle Code.

5 SEC. 12. No reimbursement is required by this act pursuant to
6 Section 6 of Article XIII B of the California Constitution because
7 the only costs that may be incurred by a local agency or school
8 district will be incurred because this act creates a new crime or
9 infraction, eliminates a crime or infraction, or changes the penalty
10 for a crime or infraction, within the meaning of Section 17556 of
11 the Government Code, or changes the definition of a crime within
12 the meaning of Section 6 of Article XIII B of the California
13 Constitution.

14 SEC. 13. This act is an urgency statute necessary for the
15 immediate preservation of the public peace, health, or safety within
16 the meaning of Article IV of the California Constitution and shall
17 go into immediate effect. The facts constituting the necessity are:

18 In order to address the economic loss restaurants and bars have
19 sustained after being hit extremely hard by COVID-19 and to
20 protect against further loss, which will help ensure public health
21 and safety, it is necessary for this act to take effect immediately.

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Supervisors Mandelman, Haney

Subject:

Urging the State Legislature to Pass the Bar and Restaurant Recovery Act

The text is listed:

Resolution urging passage of State Senate Bill 314 – Bar and Restaurant Recovery Act (Wiener) to provide much-needed relief for restaurants and bars and to ensure they are able to recover economically after the COVID-19 pandemic.

Signature of Sponsoring Supervisor:

For Clerk's Use Only