

1 [Supporting California State Senate Bill No. 793 (Wiener) - Alcoholic Beverages: Music Venue  
2 License: Entertainment Zones: Consumption]

3 **Resolution urging the California Assembly to pass California State Senate Bill No. 793,**  
4 **introduced by California Senator Scott Wiener on February 19, 2021, authorizing the**  
5 **Department of Alcoholic Beverage Control to issue a music venue license, and**  
6 **allowing cities and counties to create “entertainment zones,” within which on-sale**  
7 **licensees can permit consumers to leave the premises with open containers of**  
8 **alcoholic beverages.**

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10 WHEREAS, The Alcoholic Beverage Control Act contains various provisions regulating  
11 the application for, issuance of, suspension of, and conditions that may be imposed upon  
12 alcoholic beverage licenses by the Department of Alcoholic Beverage Control; and

13 WHEREAS, Existing law provides for various annual fees for the issuance of alcoholic  
14 beverage licenses, depending upon the type of license issued; and

15 WHEREAS, California State Senate Bill No. (SB) 793 would authorize the Department  
16 to issue a music venue license that would allow the licensee to sell beer, wine, and distilled  
17 spirits at retail for consumption on the premises in a music entertainment facility; and

18 WHEREAS, Under existing law, any person possessing an open container of an  
19 alcoholic beverage in any public place owned by a city, county, or city and county, or any  
20 regional park or recreation and park district, is guilty of an infraction if the jurisdiction has  
21 enacted an ordinance that prohibits the possession of those containers or the consumption of  
22 alcoholic beverages in those areas, except as specified and

23 WHEREAS, Existing law authorizes the legislative body of any city, county or city and  
24 county to adopt ordinances regulating zoning within its jurisdiction; and

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1           WHEREAS, Existing law authorizes a licensed beer manufacturer, a licensed  
2 winegrower, and any on-sale licensee to sell certain alcoholic beverages for consumption on  
3 or off the premises, as specified; and

4           WHEREAS, SB 793 would authorize a licensed beer manufacturer, a licensed  
5 winegrower, and any on-sale licensee to permit consumers to leave the premises with open  
6 containers of alcoholic beverages for consumption off the premises within an entertainment  
7 zone, subject to certain conditions; and

8           WHEREAS, SB 793 would define “entertainment zone” for purposes of the Alcoholic  
9 Beverage Control Act as a zone created by a city, county, or city and county ordinance on or  
10 after January 1, 2023, that authorizes consumption of one or more types of alcoholic  
11 beverages on public streets, sidewalks, or public rights-of-way in that zone; and

12           WHEREAS, On January 12, 2022, SB 793 passed the Senate with a unanimous 32-0  
13 vote; now, therefore, be it

14           RESOLVED, That the Board of Supervisors supports California Senate Bill No. 793;  
15 and, be it

16           FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the  
17 Board to transmit a copy of this Resolution to San Francisco’s state legislative delegation, the  
18 Office of the Chief Clerk of the Assembly, and the Office of Governor Newsom.

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