AMENDED IN SENATE JANUARY 3, 2022

AMENDED IN SENATE MAY 20, 2021

AMENDED IN SENATE APRIL 21, 2021

AMENDED IN SENATE APRIL 13, 2021

AMENDED IN SENATE MARCH 25, 2021

AMENDED IN SENATE MARCH 8, 2021

SENATE BILL

No. 793

## **Introduced by Senator Wiener**

February 19, 2021

An act to amend Sections 23320, 23357, 23358, and 23396 of, to add Section 23039.5 to, and to add Article 7 (commencing with Section 23550) to Chapter 3 of Division 9 of, the Business and Professions Code, relating to alcoholic beverages.

## LEGISLATIVE COUNSEL'S DIGEST

SB 793, as amended, Wiener. Alcoholic beverages: music venue license: entertainment zones: consumption.

(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 provides for various annual fees for the issuance of alcoholic beverage licenses, depending upon the type of license issued.

This bill would authorize the department to issue a music venue license, as defined, that would allow the licensee to sell beer, wine, and distilled spirits at retail for consumption on the premises in a music  $SB 793 \qquad \qquad -2-$ 

entertainment facility, as defined. The bill would limit a music venue licensee's authorization to sell, serve, and permit consumption of alcoholic beverages to the time period from 2 hours before a live performance until one hour after the live performance, subject to an existing law provision that makes selling, giving, delivering, or purchasing an alcoholic beverage a misdemeanor. The bill would authorize a person providing alcoholic beverage service at a music entertainment facility pursuant to another type of on-sale license an on-sale general bona fide public eating place licensee or an on-sale general public premises licensee as of the effective date of this bill to exchange that license for a music venue license, as-provided, or to transfer that license pursuant to applicable law. provided. The bill would impose an original fee, an exchange fee, and an annual renewal fee for the license, which would be deposited in the Alcohol Beverage Control Fund. The bill would authorize an on-sale licensee to permit a person under 21 years of age into the music entertainment facility for a price of admission, facility, as provided. The bill would authorize the department to promulgate regulations to implement these provisions.

(2) 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.

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

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

This bill, additionally, would authorize a licensed beer manufacturer, a licensed winegrower, and any on-sale licensee to sell certain alcoholic beverages to permit consumers to leave the premises with open containers of alcoholic beverages for consumption on the premises and off the premises within an entertainment zone, which the subject to certain conditions. The bill would define "entertainment zone" for purposes of the Alcoholic Beverage Control Act as a zone created by a city, county, or city and county ordinance on or after January 1, 2022, 2023, that authorizes consumption of one or more types of alcoholic

-3— SB 793

beverages on public streets, sidewalks, or public rights-of-way in that zone.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. Section 23039.5 is added to the Business and 2 Professions Code, to read:
- 23039.5. "Entertainment zone" means a zone created by a city, county, or city and county ordinance on or after January 1, 2022, 2023, that authorizes consumption of one or more types of alcoholic beverages on public streets, sidewalks, or public rights-of-way.
  - SEC. 2. Section 23320 of the Business and Professions Code is amended to read:
  - 23320. (a) An applicant for a new permanent license, which shall not include duplicate licenses, shall accompany the application with the application fee as specified in this division:
  - (1) The license application fee for a new permanent license shall be nine hundred five dollars (\$905), except as otherwise specified.
  - (2) Applicants for a new permanent license of the following types shall accompany the application with a fee of fifteen thousand eight hundred thirty-five dollars (\$15,835):
    - (A) Off-sale general (Type 21).

- (B) On-sale general eating place (Type 47), on-sale general public premises (Type 48), special on-sale general (Type 57), special on-sale general for-profit theater (Type 71 and Type 72), brewpub-restaurant (Type 75), caterer's (Type 83), neighborhood restricted special on-sale (Type 87), special on-sale general license for historic cemetery (Type 88), and music venue license (Type 90).
- (3) Applicants for a new permanent license of the following types shall accompany the application with a fee as indicated:
- (A) Twelve thousand dollars (\$12,000) for a wine, food and art cultural museum (Type 78).
- (B) Six thousand dollars (\$6,000) for an on-sale general eating place on public property (Type 47), for an on-sale general restrictive service (Type 70), and for a music venue on public property (Type 90).

SB 793 —4—

1 (C) Two thousand dollars (\$2,000) for an on-sale general dockside (Type 62).

- (D) One thousand dollars (\$1,000) for a special on-sale general theater (Type 64).
- (E) One hundred dollars (\$100) for an out-of-state beer manufacturer certificate (Type 26), for a distilled spirits shipper certificate (Type 28), and for a direct shipper permit (Type 82).
  - (F) One hundred dollars (\$100) for a still (Type 6).
- (b) The following are the types of licenses and the annual fees to be charged therefor:
- (1) (A) For a Type 01 Beer manufacturer that produces more than 60,000 barrels per year: the fee through September 30, 2019, is one thousand five hundred thirty-one dollars (\$1,531) and the fee on and after October 1, 2019, is one thousand eight hundred ninety dollars (\$1,890).
- (B) For a Duplicate Type 01: the fee through September 30, 2019, is ninety-eight dollars (\$98) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (2) (A) For a Type 02 Winegrower (to be computed only on the gallons produced); 5,000 gallons or less: the fee through September 30, 2019, is seventy-one dollars (\$71) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (B) For a Type 02 Winegrower (to be computed only on the gallons produced); 5,000 20,000 gallons: the fee through September 30, 2019, is one hundred thirty-two dollars (\$132) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (C) For a Type 02 Winegrower (to be computed only on the gallons produced); 20,000 100,000 gallons: the fee through September 30, 2019, is two hundred thirty-nine dollars (\$239) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (D) For a Type 02 Winegrower (to be computed only on the gallons produced); 100,000 200,000 gallons: the fee through September 30, 2019, is three hundred fourteen dollars (\$314) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (E) For a Type 02 Winegrower (to be computed only on the gallons produced); 200,000 1,000,000 gallons: the fee through September 30, 2019, is four hundred sixty-six dollars (\$466) and

\_5\_ SB 793

the fee on and after October 1, 2019, is five hundred forty dollars (\$540).

- (F) For a Type 02 Winegrower (to be computed only on the gallons produced); for each additional 1,000,000 gallons over 1,000,000 gallons: the fee through September 30, 2019, is three hundred thirteen dollars (\$313) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (G) For a Duplicate Type 02: the fee through September 30, 2019, is ninety-eight dollars (\$98) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (3) (A) For a Type 03 Brandy manufacturer: the fee through September 30, 2019, is three hundred eleven dollars (\$311) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (B) For a Duplicate Type 03: the fee through September 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (4) For a Type 04 Distilled spirits manufacturer: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (5) For a Type 05 Distilled spirits manufacturer's agent: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (6) For a Type 06 Still: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (7) For a Type 07 Rectifier: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (8) For a Type 08 Wine rectifier: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (9) For a Type 09 Beer and wine importer: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- 38 (10) For a Type 10 Beer and wine importer's general license: 39 the fee through September 30, 2019, is three hundred forty dollars

 $SB 793 \qquad \qquad -6-$ 

1 (\$340) and the fee on and after October 1, 2019, is five hundred 2 forty dollars (\$540).

- (11) For a Type 11 Brandy importer: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (12) For a Type 12 Distilled spirits importer: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (13) For a Type 13 Distilled spirits importer's general license: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (14) (A) For a Type 14 Public warehouse: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (B) For a Duplicate Type 14: the fee through September 30, 2019, is one dollar (\$1) and the fee on and after October 1, 2019, is twenty-five dollars (\$25).
- (15) For a Type 15 Customs broker: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (16) For a Type 16 Wine broker: the fee through September 30, 2019, is one hundred three dollars (\$103) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (17) For a Type 17 Beer and wine wholesaler: the fee through September 30, 2019, is three hundred forty dollars (\$340) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (18) For a Type 18 Distilled spirits wholesaler: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (19) For a Type 19 Industrial alcohol dealer: the fee through September 30, 2019, is one hundred three dollars (\$103) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- 36 (20) For a Type 20 Off-sale beer and wine: the fee through 37 September 30, 2019, is two hundred seventy-eight dollars (\$278) 38 and the fee on and after October 1, 2019, is three hundred eighty 39 dollars (\$380).

\_7\_ SB 793

(21) For a Type 21 - Off-sale general: the fee through September 30, 2019, is six hundred seventeen dollars (\$617) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).

- (22) (A) For a Type 22 Wine blender (to be computed only on the gallons produced); 5,000 gallons or less: the fee through September 30, 2019, is seventy-one dollars (\$71) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (B) For a Type 22 Wine blender (to be computed only on the gallons produced); 5,000 20,000 gallons: the fee through September 30, 2019, is one hundred thirty-two dollars (\$132) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (C) For a Type 22 Wine blender (to be computed only on the gallons produced); 20,000 gallons 100,000 gallons: the fee through September 30, 2019, is two hundred thirty-nine dollars (\$239) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (D) For a Type 22 Wine blender (to be computed only on the gallons produced); 100,000 200,000 gallons: the fee through September 30, 2019, is three hundred fourteen dollars (\$314) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (E) For a Type 22 Wine blender (to be computed only on the gallons produced); 200,000 1,000,000 gallons: the fee through September 30, 2019, is four hundred sixty-six dollars (\$466) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Type 22 Wine blender (to be computed only on the gallons produced); for each additional 1,000,000 gallons over 1,000,000 gallons: the fee through September 30, 2019, is three hundred thirteen dollars (\$313) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (23) (A) For a Type 23 Small beer manufacturer that produces 60,000 barrels or less a year: the fee through September 30, 2019, is one hundred eighty-four dollars (\$184) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- 38 (B) For a Duplicate Type 23: the fee through September 30, 39 2019, is ninety-eight dollars (\$98) and the fee on and after October 40 1, 2019, is two hundred fifteen dollars (\$215).

SB 793 —8—

 (24) For a Type 24 - Distilled spirits rectifier's general license: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).

- (25) For a Type 25 California brandy wholesaler: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (26) For a Type 26 Out-of-state beer manufacturer certificate: the fee through September 30, 2019, is seventy-nine dollars (\$79) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (27) For a Type 27 California winegrower's agent: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (28) For a Type 28 Out-of-state distilled spirits shipper certificate: the fee through September 30, 2019, is seventy-nine dollars (\$79) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (29) For a Type 29 Winegrape grower storage: the fee through September 30, 2019, is ninety dollars (\$90) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (30) For a Type 40 On-sale beer: the fee through September 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (31) For a Type 41 On-sale beer and wine eating place: the fee through September 30, 2019, is three hundred eighty-four dollars (\$384) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (32) For a Type 42 On-sale beer and wine pub premises: the fee through September 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- 35 (33) For a Type 43 On-sale beer and wine train: the fee through September 30, 2019, is one hundred fourteen dollars (\$114) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- 39 (34) For a Type 44 On-sale beer and wine fishing party boat: 40 the fee through September 30, 2019, is one hundred fourteen dollars

-9-**SB 793** 

(\$114) and the fee on and after October 1, 2019, is one hundred 2 sixty dollars (\$160). 3

1

4

5

6

7

8

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

- (35) For a Type 45 On-sale beer and wine boat: the fee through September 30, 2019, is one hundred fourteen dollars (\$114) and the fee on and after October 1, 2019, is one hundred sixty dollars <del>(\$160).</del>
- (36) For a Type 46 On-sale beer and wine airplane: the fee through September 30, 2019, is one hundred fourteen dollars (\$114) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (37) (A) For a Type 47 On-sale general eating place in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 47 On-sale general eating place in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 47 On-sale general eating place in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 47 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 47 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- 33 (F) For a Duplicate Type 47 in all other localities: the fee 34 through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred 35 36 thirty dollars (\$430).
- 37 (38) (A) For a Type 48 - On-sale general public premises in 38 cities of 40,000 population or over: the fee through September 30, 39 2019, is nine hundred seventy-one dollars (\$971) and the fee on

SB 793 — 10 —

1 and after October 1, 2019, is one thousand one hundred ninety 2 dollars (\$1,190).

- (B) For a Type 48 On-sale general public premises in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 48 On-sale general public premises in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 48 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 48 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 48 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (39) (A) For a Type 49 On-sale general seasonal business in cities of 40,000 population or over per 3 months: the fee through September 30, 2019, is two hundred forty-seven dollars (\$247) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (B) For a Type 49 On-sale general seasonal business in cities of 40,000 population or over per 6 months: the fee through September 30, 2019, is four hundred ninety-four dollars (\$494) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$650).
- (C) For a Type 49 On-sale general seasonal business in cities of 40,000 population or over per 9 months: the fee through September 30, 2019, is seven hundred forty-one dollars (\$741) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (D) For a Type 49 On-sale general seasonal business in cities of less than 40,000, but more than 20,000 population per 3 months:

-11- SB 793

the fee through September 30, 2019, is one hundred seventy-six dollars (\$176) and the fee on and after October 1, 2019, is two hundred fifteen dollars (\$215).

1 2

- (E) For a Type 49 On-sale general seasonal business in cities of less than 40,000, but more than 20,000 population per 6 months: the fee through September 30, 2019, is three hundred fifty dollars (\$350) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (F) For a Type 49 On-sale general seasonal business in cities of less than 40,000, but more than 20,000 population per 9 months: the fee through September 30, 2019, is five hundred twenty-six dollars (\$526) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$650).
- (G) For a Type 49 On-sale general seasonal business in all other localities per 3 months: the fee through September 30, 2019, is one hundred fifty-three dollars (\$153) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (H) For a Type 49 On-sale general seasonal business in all other localities per 6 months: the fee through September 30, 2019, is three hundred six dollars (\$306) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (I) For a Type 49 On-sale general seasonal business in all other localities per 9 months: the fee through September 30, 2019, is four hundred fifty-eight dollars (\$458) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (J) For a Duplicate Type 49 in cities of 40,000 population or over per 3 months: the fee through September 30, 2019, is one hundred seventy-six dollars (\$176) and the fee on and after October 1, 2019, is two hundred fifteen dollars (\$215).
- (K) For a Duplicate Type 49 in cities of 40,000 population or over per 6 months: the fee through September 30, 2019, is three hundred fifty dollars (\$350) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (L) For a Duplicate Type 49 in cities of 40,000 population or over per 9 months: the fee through September 30, 2019, is five hundred twenty-six dollars (\$526) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$650).
- (M) For a Duplicate Type 49 in cities of less than 40,000, but more than 20,000 population or over per 3 months: the fee through September 30, 2019, is one hundred three dollars (\$103) and the

SB 793 — 12 —

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

- (N) For a Duplicate Type 49 in cities of less than 40,000, but more than 20,000 per 6 months: the fee through September 30, 2019, is two hundred seven dollars (\$207) and the fee on and after October 1, 2019, is two hundred fifty dollars (\$250).
- (O) For a Duplicate Type 49 in cities of less than 40,000, but more than 20,000 population or over per 9 months: the fee through September 30, 2019, is three hundred eleven dollars (\$311) and the fee on and after October 1, 2019, is three hundred seventy-five dollars (\$375).
- (P) For a Duplicate Type 49 in all other localities per 3 months: the fee through September 30, 2019, is eighty-one dollars (\$81) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (Q) For a Duplicate Type 49 in all other localities per 6 months: the fee through September 30, 2019, is one hundred sixty-six dollars (\$166) and the fee on and after October 1, 2019, is two hundred fifteen dollars (\$215).
- (R) For a Duplicate Type 49 in all other localities per 9 months: the fee through September 30, 2019, is two hundred forty-seven dollars (\$247) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (40) (A) For a Type 50 On-sale general license for bona fide clubs in cities of 40,000 population or over: the fee through September 30, 2019, is five hundred sixty dollars (\$560) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$650).
- (B) For a Type 50 On-sale general license for bona fide clubs in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred twenty dollars (\$420) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (C) For a Type 50 On-sale general license for bona fide clubs in all other localities: the fee through September 30, 2019, is three hundred seventy-three dollars (\$373) and the fee on and after 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)

-13- SB 793

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

- (B) For a Type 51 Club license (issued under Article 4 of this chapter) in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred twenty dollars (\$420) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (C) For a Type 51 Club license (issued under Article 4 of this chapter) in all other localities: the fee through September 30, 2019, is three hundred seventy-three dollars (\$373) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (42) (A) For a Type 52 Veterans' club license (issued under Article 5 of this chapter) in cities of 40,000 population or over: the fee through September 30, 2019, is five hundred sixty dollars (\$560) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$650).
- (B) For a Type 52 Veterans' club license (issued under Article 5 of this chapter) in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred twenty dollars (\$420) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (C) For a Type 52 Veterans' club license (issued under Article 5 of this chapter) in all other localities: the fee through September 30, 2019, is three hundred seventy-three dollars (\$373) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (43) (A) For a Type 53 On-sale general train: the fee through September 30, 2019, is two hundred seventeen dollars (\$217) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (B) For a Duplicate Type 53: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (44) For a Type 54 On-sale general boat: the fee through September 30, 2019, is five hundred sixty-three dollars (\$563) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$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).

SB 793 —14—

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

- (46) (A) For a Type 56 On-sale general license for vessels of more than 1,000 tons burden: the fee through September 30, 2019, is two hundred seventeen dollars (\$217) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (B) For a Duplicate Type 56: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (47) (A) For a Type 57 Special on-sale general in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 57 Special on-sale general in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 57 Special on-sale general in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 57 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 57 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 57 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- 38 (48) (A) For a Type 58 Caterer's permit; on-sale general or on-sale beer and wine: the fee through September 30, 2019, is one

\_15\_ SB 793

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

- (B) For a Type 58 Caterer's permit; club in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (C) For a Type 58 Caterer's permit; club in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (D) For a Type 58 Caterer's permit; elub in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (49) (A) For a Type 59 On-sale beer and wine seasonal; operating period 3-9 months: the fee through September 30, 2019, is two hundred thirty-nine dollars (\$239) and the fee on and after October 1, 2019, is two hundred fifty dollars (\$250).
- (B) For a Type 59 On-sale beer and wine seasonal; operating period 3-6 months: the fee through September 30, 2019, is one hundred sixty-two dollars (\$162) and the fee on and after October 1, 2019, is one hundred seventy-five dollars (\$175).
- (50) (A) For a Type 60 On-sale beer seasonal; operating period 3-9 months: the fee through September 30, 2019, is two hundred thirty-nine dollars (\$239) and the fee on and after October 1, 2019, is two hundred fifty dollars (\$250).
- (B) For a Type 60 On-sale beer seasonal; operating period 3-6 months: the fee through September 30, 2019, is one hundred sixty-two dollars (\$162) and the fee on and after October 1, 2019, is one hundred seventy-five dollars (\$175).
- (51) For a Type 61 On-sale beer public premises: the fee through September 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (52) For a Type 62 On-sale general license dockside: the fee through September 30, 2019, is six hundred nine dollars (\$609) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).

SB 793 — 16 —

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

- (54) (A) For a Type 64 Special on-sale general theater in cities of 40,000 population or over: the fee through September 30, 2019, is five hundred sixty dollars (\$560) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (B) For a Type 64 Special on-sale general theater in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred twenty dollars (\$420) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (C) For a Type 64 Special on-sale general theater in all other localities: the fee through September 30, 2019, is three hundred seventy-three dollars (\$373) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (55) For a Type 65 Special on-sale beer and wine symphony: the fee through September 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (56) For a Type 66 Controlled access cabinet: the fee through September 30, 2019, is six hundred seventeen dollars (\$617) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (57) For a Type 67 Bed and breakfast inn; per room: the fee through September 30, 2019, is eight dollars (\$8) and the fee on and after October 1, 2019, is ten dollars (\$10).
- (58) (A) For a Type 68 Portable bar in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (B) For a Type 68 Portable bar in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and 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).

-17- SB 793

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

- (60) (A) For a Type 70 On-sale general restrictive service in eities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 70 On-sale general restrictive service in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 70 On-sale general restrictive service in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (61) (A) For a Type 71 Special on-sale general for-profit theater in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 71 Special on-sale general for-profit theater in eities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 71 Special on-sale general for-profit theater in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 71 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 71 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).

SB 793 — 18—

1 2

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

- (62) (A) For a Type 72 Special on-sale general for-profit theater, Napa County in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 72 Special on-sale general for-profit theater, Napa County in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 72 Special on-sale general for-profit theater, Napa County in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 72 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 72 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 72 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (63) For a Type 73 Special nonprofit sales: the fee through September 30, 2019, is one hundred fourteen dollars (\$114) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (64) For a Type 74 Craft distilled spirits manufacturer: the fee
   through September 30, 2019, is five hundred ten dollars (\$510)
   and the fee on and after October 1, 2019, is seven hundred fifty-five
   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

-19 - SB 793

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).

- (B) For a Type 75 Brewpub-restaurant in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 75 Brewpub-restaurant in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 75 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 75 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 75 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (66) (A) For a Type 76 On-sale general maritime museum: the fee through September 30, 2019, is two hundred seventeen dollars (\$217) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (B) For a Duplicate Type 76: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (67) For a Type 77 Event permit: the fee through September 30, 2019, is one hundred forty-six dollars (\$146) and the fee on 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 cultural museum in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).

SB 793 — 20 —

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

- (C) For a Type 78 On-sale general wine, food and art cultural museum in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 78 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 78 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 78 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (69) For a Type 79 Certified farmers' market: the fee through September 30, 2019, is fifty-eight dollars (\$58) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (70) For a Type 80 Special on-sale general; per room: the fee through September 30, 2019, is seventeen dollars (\$17) and the fee on and after October 1, 2019, is twenty dollars (\$20).
- (71) For a Type 81 Wine sales event permit: the fee through September 30, 2019, is fifty dollars (\$50) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (72) For a Type 82 Direct shipper permit: the fee through September 30, 2019, is ten dollars (\$10) and the fee on and after October 1, 2019, is twenty-five dollars (\$25).
- (73) (A) For a Type 83 On-sale general caterer's permit in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety 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

**—21—** SB 793

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

1 2

- (C) For a Type 83 On-sale general caterer's permit in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (74) For a Type 84 Certified farmers' market beer: the fee through September 30, 2019, is fifty-eight dollars (\$58) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (75) For a Type 85 Limited off-sale wine license: the fee through September 30, 2019, is two hundred seventy-eight dollars (\$278) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (76) For a Type 86 Instructional tasting license: the fee through September 30, 2019, is three hundred dollars (\$300) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (77) (A) For a Type 87 Neighborhood restricted special on-sale in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 87 Neighborhood restricted special on-sale in eities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 87 Neighborhood restricted special on-sale in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 87 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 87 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).

 $SB 793 \qquad \qquad -22-$ 

1 2

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

- (78) (A) For a Type 88 Special on-sale general license for historic cemetery in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 88 Special on-sale general license for historic cemetery in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 88 Special on-sale general license for historic cemetery in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 88 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 88 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 88 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (79) For a Type 90 Music venue license in cities of 40,000 population or over: the fee is one thousand one hundred ninety dollars (\$1,190).
- (80) For a Type 90 Music venue license in cities of less than 40,000, but more than 20,000 population: the fee is nine hundred seventy dollars (\$970).
- 37 (81) For a Type 90 Music venue license in all other localities: 38 the fee is seven hundred fifty-five dollars (\$755).
- 39 (c) (1) In addition to the application fee for a new permanent 40 license as specified in subdivision (a), an annual renewal fee, as

-23- SB 793

set forth in subdivision (b), shall accompany the application. The application fee shall be nonrefundable up to the amount of the application fee in paragraph (1) of subdivision (a), as adjusted by subdivisions (d) and (e). The annual fee provided at the time of application shall allow the license to be active for one year from the date of issuance and shall be refundable only in the event that the license application is withdrawn or denied.

- (2) If an application includes multiple new permanent licenses to be issued at the same premises, the application fee shall be required for only one of the applied-for licenses and an application fee shall not be charged for the remainder of the licenses. In situations involving different license types, the application fee to be paid shall be the highest such fee as specified in subdivision (a). Notwithstanding this provision, the annual renewal fee required pursuant to this subdivision shall be payable for each license.
- (d) Beginning January 1, 2021, and each January 1 thereafter, the department may adjust each of the fees specified in this section by increasing each fee by an amount not to exceed the percentage that the California Consumer Price Index (California Department of Industrial Relations, Division of Labor Statistics and Research, All Items, Base Period 1982-84=100) for the preceding August 2019, and each August annually thereafter, has increased under the same index over the month of August 2018, which shall be the base period. The department shall not adjust fees pursuant to this section if the balance of the Alcohol Beverage Control Fund at the end of the prior fiscal year is greater than one-fourth of the department's appropriation from the Alcohol Beverage Control Fund for the current fiscal year. No fee shall be decreased pursuant to this adjustment below the fee currently in effect on each December 31. If the accumulation of percentage increases is greater than 8 percent, the department shall not adjust fees without the Legislature's approval through the budget process. In the event that this index is discontinued, the department shall consult with the Department of Finance to convert the increase calculations to an index then available. When approved by the Department of Finance, the new index shall replace the discontinued index.
- (e) When fees are adjusted pursuant to subdivision (d), the department shall calculate the percentage increase as specified in that subdivision and shall apply this increase to each fee. The increase to each fee shall be rounded to the nearest whole five

SB 793 — 24—

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

- SEC. 2. Section 23320 of the Business and Professions Code, as amended by Section 1 of Chapter 274 of the Statutes of 2021, is amended to read:
- 23320. (a) An applicant for a new permanent license, which shall not include duplicate licenses, except as provided in paragraph (4), shall accompany the application with the application fee as specified in this division:
- (1) The license application fee for a new permanent license shall be nine hundred five dollars (\$905), except as otherwise specified.
- (2) Applicants for a new permanent license of the following types shall accompany the application with a fee of fifteen thousand eight hundred thirty-five dollars (\$15,835):
  - (A) Off-sale general (Type 21).
- (B) On-sale general eating place (Type 47), on-sale general public premises (Type 48), special on-sale general (Type 57), special on-sale general for-profit theater (Type 71 and Type 72), brewpub-restaurant (Type 75), caterer's (Type 83), neighborhood restricted special on-sale (Type 87), and special on-sale general license for historic cemetery (Type 88). 88), and music venue license (Type 90).
- (3) Applicants for a new permanent license of the following types shall accompany the application with a fee as indicated:
- (A) Twelve thousand dollars (\$12,000) for a wine, food and art cultural museum (Type 78).
- (B) Six thousand dollars (\$6,000) for an on-sale general eating place on public property (Type 47) and 47), for an on-sale general restrictive service (Type 70). 70), and for a music venue on public property (Type 90).
- 37 (C) Two thousand dollars (\$2,000) for an on-sale general dockside (Type 62).
- 39 (D) One thousand dollars (\$1,000) for a special on-sale general 40 theater (Type 64).

\_25\_ SB 793

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

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

- (4) Applicants for a Duplicate Type 02 license shall accompany the application with a fee of four hundred forty dollars (\$440).
- (b) The following are the types of licenses and the annual fees to be charged therefor:
- (1) (A) For a Type 01 Beer manufacturer that produces more than 60,000 barrels per year: the fee through September 30, 2019, is one thousand five hundred thirty-one dollars (\$1,531) and the fee on and after October 1, 2019, is one thousand eight hundred ninety dollars (\$1,890).
- (B) For a Duplicate Type 01: the fee through September 30, 2019, is ninety-eight dollars (\$98) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (2) (A) For a Type 02 Winegrower (to be computed only on the gallons produced); 5,000 gallons or less: the fee through September 30, 2019, is seventy-one dollars (\$71) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (B) For a Type 02 Winegrower (to be computed only on the gallons produced); 5,000 20,000 gallons: the fee through September 30, 2019, is one hundred thirty-two dollars (\$132) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (C) For a Type 02 Winegrower (to be computed only on the gallons produced); 20,000 100,000 gallons: the fee through September 30, 2019, is two hundred thirty-nine dollars (\$239) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (D) For a Type 02 Winegrower (to be computed only on the gallons produced); 100,000 200,000 gallons: the fee through September 30, 2019, is three hundred fourteen dollars (\$314) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (E) For a Type 02 Winegrower (to be computed only on the gallons produced); 200,000 1,000,000 gallons: the fee through September 30, 2019, is four hundred sixty-six dollars (\$466) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).

SB 793 -26-

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

- (G) For a Duplicate Type 02: the fee through September 30, 2019, is ninety-eight dollars (\$98) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (3) (A) For a Type 03 Brandy manufacturer: the fee through September 30, 2019, is three hundred eleven dollars (\$311) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (B) For a Duplicate Type 03: the fee through September 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (4) For a Type 04 Distilled spirits manufacturer: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (5) For a Type 05 Distilled spirits manufacturer's agent: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (6) For a Type 06 Still: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (7) For a Type 07 Rectifier: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (8) For a Type 08 Wine rectifier: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (9) For a Type 09 Beer and wine importer: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on 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).

\_\_27\_\_ SB 793

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

- (12) For a Type 12 Distilled spirits importer: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (13) For a Type 13 Distilled spirits importer's general license: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (14) (A) For a Type 14 Public warehouse: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (B) For a Duplicate Type 14: the fee through September 30, 2019, is one dollar (\$1) and the fee on and after October 1, 2019, is twenty-five dollars (\$25).
- (15) For a Type 15 Customs broker: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (16) For a Type 16 Wine broker: the fee through September 30, 2019, is one hundred three dollars (\$103) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (17) For a Type 17 Beer and wine wholesaler: the fee through September 30, 2019, is three hundred forty dollars (\$340) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (18) For a Type 18 Distilled spirits wholesaler: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (19) For a Type 19 Industrial alcohol dealer: the fee through September 30, 2019, is one hundred three dollars (\$103) and the 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, 2019, is six hundred seventeen dollars (\$617) and the fee on

**— 28 — SB 793** 

3

4

7

10

11

12

13

14 15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

37

and after October 1, 2019, is seven hundred fifty-five dollars 2

- (22) (A) For a Type 22 Wine blender (to be computed only on the gallons produced); 5,000 gallons or less: the fee through September 30, 2019, is seventy-one dollars (\$71) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (B) For a Type 22 Wine blender (to be computed only on the gallons produced); 5,000 - 20,000 gallons: the fee through September 30, 2019, is one hundred thirty-two dollars (\$132) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (C) For a Type 22 Wine blender (to be computed only on the gallons produced); 20,000 gallons - 100,000 gallons: the fee through September 30, 2019, is two hundred thirty-nine dollars (\$239) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (D) For a Type 22 Wine blender (to be computed only on the gallons produced); 100,000 - 200,000 gallons: the fee through September 30, 2019, is three hundred fourteen dollars (\$314) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (E) For a Type 22 Wine blender (to be computed only on the gallons produced); 200,000 - 1,000,000 gallons: the fee through September 30, 2019, is four hundred sixty-six dollars (\$466) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Type 22 Wine blender (to be computed only on the gallons produced); for each additional 1,000,000 gallons over 1,000,000 gallons: the fee through September 30, 2019, is three hundred thirteen dollars (\$313) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (23) (A) For a Type 23 Small beer manufacturer that produces 60,000 barrels or less a year: the fee through September 30, 2019, is one hundred eighty-four dollars (\$184) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- 36 (B) For a Duplicate Type 23: the fee through September 30, 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

-29 - SB 793

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

- (25) For a Type 25 California brandy wholesaler: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (26) For a Type 26 Out-of-state beer manufacturer certificate: the fee through September 30, 2019, is seventy-nine dollars (\$79) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (27) For a Type 27 California winegrower's agent: the fee through September 30, 2019, is five hundred ten dollars (\$510) and the fee on and after October 1, 2019, is five hundred ninety-five dollars (\$595).
- (28) For a Type 28 Out-of-state distilled spirits shipper certificate: the fee through September 30, 2019, is seventy-nine dollars (\$79) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (29) For a Type 29 Winegrape grower storage: the fee through September 30, 2019, is ninety dollars (\$90) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (30) For a Type 40 On-sale beer: the fee through September 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (31) For a Type 41 On-sale beer and wine eating place: the fee through September 30, 2019, is three hundred eighty-four dollars (\$384) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (32) For a Type 42 On-sale beer and wine pub premises: the fee through September 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (33) For a Type 43 On-sale beer and wine train: the fee through September 30, 2019, is one hundred fourteen dollars (\$114) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$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).

**SB 793 — 30 —** 

1

2

5

8

9

10 11

12

13

14

15

16 17

18

19

20 21

22

23

24 25

26

27

28

29

30

31

32

33 34

(35) For a Type 45 - On-sale beer and wine boat: the fee through 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).

- (36) For a Type 46 On-sale beer and wine airplane: the fee through September 30, 2019, is one hundred fourteen dollars (\$114) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (37) (A) For a Type 47 On-sale general eating place in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 47 On-sale general eating place in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 47 On-sale general eating place in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 47 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 47 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 47 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (38) (A) For a Type 48 On-sale general public premises in 35 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).

-31- SB 793

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

- (C) For a Type 48 On-sale general public premises in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 48 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 48 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 48 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (39) (A) For a Type 49 On-sale general seasonal business in cities of 40,000 population or over per 3 months: the fee through September 30, 2019, is two hundred forty-seven dollars (\$247) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (B) For a Type 49 On-sale general seasonal business in cities of 40,000 population or over per 6 months: the fee through September 30, 2019, is four hundred ninety-four dollars (\$494) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$650).
- (C) For a Type 49 On-sale general seasonal business in cities of 40,000 population or over per 9 months: the fee through September 30, 2019, is seven hundred forty-one dollars (\$741) and the fee on and after October 1, 2019, is nine hundred seventy 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

SB 793 -32-

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

- (E) For a Type 49 On-sale general seasonal business in cities of less than 40,000, but more than 20,000 population per 6 months: the fee through September 30, 2019, is three hundred fifty dollars (\$350) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (F) For a Type 49 On-sale general seasonal business in cities of less than 40,000, but more than 20,000 population per 9 months: the fee through September 30, 2019, is five hundred twenty-six dollars (\$526) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$650).
- (G) For a Type 49 On-sale general seasonal business in all other localities per 3 months: the fee through September 30, 2019, is one hundred fifty-three dollars (\$153) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$160).
- (H) For a Type 49 On-sale general seasonal business in all other localities per 6 months: the fee through September 30, 2019, is three hundred six dollars (\$306) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (I) For a Type 49 On-sale general seasonal business in all other localities per 9 months: the fee through September 30, 2019, is four hundred fifty-eight dollars (\$458) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (J) For a Duplicate Type 49 in cities of 40,000 population or over per 3 months: the fee through September 30, 2019, is one hundred seventy-six dollars (\$176) and the fee on and after October 1, 2019, is two hundred fifteen dollars (\$215).
- (K) For a Duplicate Type 49 in cities of 40,000 population or over per 6 months: the fee through September 30, 2019, is three hundred fifty dollars (\$350) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (L) For a Duplicate Type 49 in cities of 40,000 population or over per 9 months: the fee through September 30, 2019, is five hundred twenty-six dollars (\$526) and the fee on and after October 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

-33 — SB 793

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

- (N) For a Duplicate Type 49 in cities of less than 40,000, but more than 20,000 per 6 months: the fee through September 30, 2019, is two hundred seven dollars (\$207) and the fee on and after October 1, 2019, is two hundred fifty dollars (\$250).
- (O) For a Duplicate Type 49 in cities of less than 40,000, but more than 20,000 population or over per 9 months: the fee through September 30, 2019, is three hundred eleven dollars (\$311) and the fee on and after October 1, 2019, is three hundred seventy-five dollars (\$375).
- (P) For a Duplicate Type 49 in all other localities per 3 months: the fee through September 30, 2019, is eighty-one dollars (\$81) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (Q) For a Duplicate Type 49 in all other localities per 6 months: the fee through September 30, 2019, is one hundred sixty-six dollars (\$166) and the fee on and after October 1, 2019, is two hundred fifteen dollars (\$215).
- (R) For a Duplicate Type 49 in all other localities per 9 months: the fee through September 30, 2019, is two hundred forty-seven dollars (\$247) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (40) (A) For a Type 50 On-sale general license for bona fide clubs in cities of 40,000 population or over: the fee through September 30, 2019, is five hundred sixty dollars (\$560) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$650).
- (B) For a Type 50 On-sale general license for bona fide clubs in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred twenty dollars (\$420) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (C) For a Type 50 On-sale general license for bona fide clubs in all other localities: the fee through September 30, 2019, is three hundred seventy-three dollars (\$373) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (41) (A) For a Type 51 Club license (issued under Article 4 of this chapter) in cities of 40,000 population or over: the fee through September 30, 2019, is five hundred sixty dollars (\$560)

SB 793 — 34—

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

- (B) For a Type 51 Club license (issued under Article 4 of this chapter) in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred twenty dollars (\$420) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (C) For a Type 51 Club license (issued under Article 4 of this chapter) in all other localities: the fee through September 30, 2019, is three hundred seventy-three dollars (\$373) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (42) (A) For a Type 52 Veterans' club license (issued under Article 5 of this chapter) in cities of 40,000 population or over: the fee through September 30, 2019, is five hundred sixty dollars (\$560) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$650).
- (B) For a Type 52 Veterans' club license (issued under Article 5 of this chapter) in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred twenty dollars (\$420) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (C) For a Type 52 Veterans' club license (issued under Article 5 of this chapter) in all other localities: the fee through September 30, 2019, is three hundred seventy-three dollars (\$373) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (43) (A) For a Type 53 On-sale general train: the fee through September 30, 2019, is two hundred seventeen dollars (\$217) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (B) For a Duplicate Type 53: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (44) For a Type 54 On-sale general boat: the fee through September 30, 2019, is five hundred sixty-three dollars (\$563) and the fee on and after October 1, 2019, is six hundred fifty dollars (\$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).

\_35\_ SB 793

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

- (46) (A) For a Type 56 On-sale general license for vessels of more than 1,000 tons burden: the fee through September 30, 2019, is two hundred seventeen dollars (\$217) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (B) For a Duplicate Type 56: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (47) (A) For a Type 57 Special on-sale general in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 57 Special on-sale general in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 57 Special on-sale general in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 57 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 57 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 57 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- 38 (48) (A) For a Type 58 Caterer's permit; on-sale general or on-sale beer and wine: the fee through September 30, 2019, is one

SB 793 -36-

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

- (B) For a Type 58 Caterer's permit; club in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (C) For a Type 58 Caterer's permit; club in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (D) For a Type 58 Caterer's permit; club in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (49) (A) For a Type 59 On-sale beer and wine seasonal; operating period 3-9 months: the fee through September 30, 2019, is two hundred thirty-nine dollars (\$239) and the fee on and after October 1, 2019, is two hundred fifty dollars (\$250).
- (B) For a Type 59 On-sale beer and wine seasonal; operating period 3-6 months: the fee through September 30, 2019, is one hundred sixty-two dollars (\$162) and the fee on and after October 1, 2019, is one hundred seventy-five dollars (\$175).
- (50) (A) For a Type 60 On-sale beer seasonal; operating period 3-9 months: the fee through September 30, 2019, is two hundred thirty-nine dollars (\$239) and the fee on and after October 1, 2019, is two hundred fifty dollars (\$250).
- (B) For a Type 60 On-sale beer seasonal; operating period 3-6 months: the fee through September 30, 2019, is one hundred sixty-two dollars (\$162) and the fee on and after October 1, 2019, is one hundred seventy-five dollars (\$175).
- (51) For a Type 61 On-sale beer public premises: the fee through September 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on and after October 1, 2019, is three hundred 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).

\_37\_ SB 793

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

- (54) (A) For a Type 64 Special on-sale general theater in cities of 40,000 population or over: the fee through September 30, 2019, is five hundred sixty dollars (\$560) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (B) For a Type 64 Special on-sale general theater in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred twenty dollars (\$420) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (C) For a Type 64 Special on-sale general theater in all other localities: the fee through September 30, 2019, is three hundred seventy-three dollars (\$373) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (55) For a Type 65 Special on-sale beer and wine symphony: the fee through September 30, 2019, is two hundred eighty-four dollars (\$284) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (56) For a Type 66 Controlled access cabinet: the fee through September 30, 2019, is six hundred seventeen dollars (\$617) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (57) For a Type 67 Bed and breakfast inn; per room: the fee through September 30, 2019, is eight dollars (\$8) and the fee on and after October 1, 2019, is ten dollars (\$10).
- (58) (A) For a Type 68 Portable bar in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (B) For a Type 68 Portable bar in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and 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).

-38

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

- (60) (A) For a Type 70 On-sale general restrictive service in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 70 On-sale general restrictive service in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 70 On-sale general restrictive service in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (61) (A) For a Type 71 Special on-sale general for-profit theater in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 71 Special on-sale general for-profit theater in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 71 Special on-sale general for-profit theater in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 71 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, 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).

-39- SB 793

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

- (62) (A) For a Type 72 Special on-sale general for-profit theater, Napa County in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 72 Special on-sale general for-profit theater, Napa County in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 72 Special on-sale general for-profit theater, Napa County in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 72 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 72 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 72 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (63) For a Type 73 Special nonprofit sales: the fee through September 30, 2019, is one hundred fourteen dollars (\$114) and the fee on and after October 1, 2019, is one hundred sixty dollars (\$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

SB 793 — 40 —

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).

- (B) For a Type 75 Brewpub-restaurant in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 75 Brewpub-restaurant in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 75 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 75 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 75 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (66) (A) For a Type 76 On-sale general maritime museum: the fee through September 30, 2019, is two hundred seventeen dollars (\$217) and the fee on and after October 1, 2019, is three hundred twenty-five dollars (\$325).
- (B) For a Duplicate Type 76: the fee through September 30, 2019, is seventy-seven dollars (\$77) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (67) For a Type 77 Event permit: the fee through September 30, 2019, is one hundred forty-six dollars (\$146) and the fee on 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 cultural museum in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).

\_41\_ SB 793

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

- (C) For a Type 78 On-sale general wine, food and art cultural museum in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 78 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 78 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 78 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (69) For a Type 79 Certified farmers' market: the fee through September 30, 2019, is fifty-eight dollars (\$58) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (70) For a Type 80 Special on-sale general; per room: the fee through September 30, 2019, is seventeen dollars (\$17) and the fee on and after October 1, 2019, is twenty dollars (\$20).
- (71) For a Type 81 Wine sales event permit: the fee through September 30, 2019, is fifty dollars (\$50) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (72) For a Type 82 Direct shipper permit: the fee through September 30, 2019, is ten dollars (\$10) and the fee on and after October 1, 2019, is twenty-five dollars (\$25).
- (73) (A) For a Type 83 On-sale general caterer's permit in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety 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

**— 42 — SB 793** 

4

5

6

7

8

10 11

12

13

14

15

16 17

18

19

20 21

22

23

24 25

26

27

28

29 30

31

32

33

34

35

36

37 38

39

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).

- (C) For a Type 83 On-sale general caterer's permit in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (74) For a Type 84 Certified farmers' market beer: the fee through September 30, 2019, is fifty-eight dollars (\$58) and the fee on and after October 1, 2019, is one hundred ten dollars (\$110).
- (75) For a Type 85 Limited off-sale wine license: the fee through September 30, 2019, is two hundred seventy-eight dollars (\$278) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (76) For a Type 86 Instructional tasting license: the fee through September 30, 2019, is three hundred dollars (\$300) and the fee on and after October 1, 2019, is three hundred eighty dollars (\$380).
- (77) (A) For a Type 87 Neighborhood restricted special on-sale in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 87 Neighborhood restricted special on-sale in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 87 Neighborhood restricted special on-sale in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 87 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 87 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after 40 October 1, 2019, is five hundred forty dollars (\$540).

\_43\_ SB 793

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

- (78) (A) For a Type 88 Special on-sale general license for historic cemetery in cities of 40,000 population or over: the fee through September 30, 2019, is nine hundred seventy-one dollars (\$971) and the fee on and after October 1, 2019, is one thousand one hundred ninety dollars (\$1,190).
- (B) For a Type 88 Special on-sale general license for historic cemetery in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is seven hundred eleven dollars (\$711) and the fee on and after October 1, 2019, is nine hundred seventy dollars (\$970).
- (C) For a Type 88 Special on-sale general license for historic cemetery in all other localities: the fee through September 30, 2019, is six hundred thirty-two dollars (\$632) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (D) For a Duplicate Type 88 in cities of 40,000 population or over: the fee through September 30, 2019, is six hundred ninety-nine dollars (\$699) and the fee on and after October 1, 2019, is seven hundred fifty-five dollars (\$755).
- (E) For a Duplicate Type 88 in cities of less than 40,000, but more than 20,000 population: the fee through September 30, 2019, is four hundred thirteen dollars (\$413) and the fee on and after October 1, 2019, is five hundred forty dollars (\$540).
- (F) For a Duplicate Type 88 in all other localities: the fee through September 30, 2019, is three hundred twenty-six dollars (\$326) and the fee on and after October 1, 2019, is four hundred thirty dollars (\$430).
- (79) For a Type 90 Music venue license in cities of 40,000 population or over: the fee is one thousand one hundred ninety dollars (\$1,190).
- (80) For a Type 90 Music venue license in cities of less than 40,000, but more than 20,000 population: the fee is nine hundred seventy dollars (\$970).
- (81) For a Type 90 Music venue license in all other localities: the fee is seven hundred fifty-five dollars (\$755).
- 39 (c) (1) In addition to the application fee for a new permanent 40 license as specified in subdivision (a), an annual renewal fee, as

SB 793 — 44—

set forth in subdivision (b), shall accompany the application. The application fee shall be nonrefundable up to the amount of the application fee in paragraph (1) of subdivision (a), as adjusted by subdivisions (d) and (e). The annual fee provided at the time of application shall allow the license to be active for one year from the date of issuance and shall be refundable only in the event that the license application is withdrawn or denied.

- (2) If an application includes multiple new permanent licenses to be issued at the same premises, the application fee shall be required for only one of the applied-for licenses and an application fee shall not be charged for the remainder of the licenses. In situations involving different license types, the application fee to be paid shall be the highest such fee as specified in subdivision (a). Notwithstanding this provision, the annual renewal fee required pursuant to this subdivision shall be payable for each license.
- (d) Beginning January 1, 2021, and each January 1 thereafter, the department may adjust each of the fees specified in this section by increasing each fee by an amount not to exceed the percentage that the California Consumer Price Index (California Department of Industrial Relations, Division of Labor Statistics and Research, All Items, Base Period 1982-84=100) for the preceding August 2019, and each August annually thereafter, has increased under the same index over the month of August 2018, which shall be the base period. The department shall not adjust fees pursuant to this section if the balance of the Alcohol Beverage Control Fund at the end of the prior fiscal year is greater than one-fourth of the department's appropriation from the Alcohol Beverage Control Fund for the current fiscal year. No fee shall be decreased pursuant to this adjustment below the fee currently in effect on each December 31. If the accumulation of percentage increases is greater than 8 percent, the department shall not adjust fees without the Legislature's approval through the budget process. In the event that this index is discontinued, the department shall consult with the Department of Finance to convert the increase calculations to an index then available. When approved by the Department of Finance, the new index shall replace the discontinued index.
- (e) When fees are adjusted pursuant to subdivision (d), the department shall calculate the percentage increase as specified in that subdivision and shall apply this increase to each fee. The increase to each fee shall be rounded to the nearest whole five

\_45\_ SB 793

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

SEC. 3. Section 23357 of the Business and Professions Code is amended to read:

- 23357. (a) A licensed beer manufacturer may, at the licensed premises of production, sell to consumers for consumption off the premises beer that is produced and bottled by, or produced and packaged for, that manufacturer. Licensed beer manufacturers may also exercise any of the following privileges:
- (1) Sell that beer to any person holding a license authorizing the sale of beer.
- (2) Sell that beer to consumers for consumption on the manufacturer's licensed premises or on premises owned by the manufacturer that are contiguous to the licensed premises and which are operated by and for the manufacturer.
- (3) Sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturer's licensed premises or at a bona fide public eating place on premises owned by the manufacturer which are contiguous to the licensed premises and which are operated by and for the manufacturer.
- (4) (A) In addition to the privileges in paragraphs (2) and (3), sell beer or wine, regardless of source, to consumers Permit consumers to leave the premises with open containers of alcoholic beverages for consumption on the premises and off the premises within an entertainment zone if the all of the following conditions are satisfied:
- (i) The premises is located within the entertainment-zone and consumption zone.
- (ii) Consumption of that type of alcoholic beverage is authorized by the ordinance creating the entertainment zone.
- (iii) Open alcohol containers only leave the premises during the hours allowed by the ordinance establishing the entertainment zone.

SB 793 — 46—

(iv) Patrons with open containers exit the premises directly into an entertainment zone.

- (B) This paragraph does not require a licensee to sell any alcoholic beverage for consumption off the premises within an entertainment zone.
- (b) Notwithstanding any other provision of this division, licensed beer manufacturers and holders of out-of-state beer manufacturer's certificates may be issued and may hold retail package off-sale beer and wine licenses. Alcoholic beverage products sold at or from the off-sale premises that are not produced and bottled by, or produced and packaged for, the beer manufacturer shall be purchased by the beer manufacturer only from a licensed wholesaler.
- (c) Notwithstanding any other provision of this division, a licensed beer manufacturer that produces more than 60,000 barrels of beer a year may manufacture cider or perry at the licensed premises of production and may sell cider or perry to any licensee authorized to sell wine. For purposes of this subdivision, "cider" and "perry" have the meanings provided in Section 4.21(e)(5) of Title 27 of the Code of Federal Regulations. This subdivision does not alter or amend the classification of cider or perry as wine for any purpose other than that provided by this section.
- (d) A beer manufacturer may also have upon the licensed premises, or on premises owned by the manufacturer that are contiguous to the licensed premises and are operated by and for the manufacturer all beers and wines, regardless of source, for sale or service only to guests during private events or private functions not open to the general public. Alcoholic beverage products sold at the premises that are not produced and bottled by, or produced and packaged for, the beer manufacturer shall be purchased by the beer manufacturer only from a licensed wholesaler. All alcoholic beverages sold or served shall be produced by a licensee authorized to manufacture the product.
- SEC. 4. Section 23358 of the Business and Professions Code is amended to read:
- 23358. (a) Licensed winegrowers, notwithstanding any other provisions of this division, may also exercise the following privileges:
- 39 (1) Sell wine and brandy to any person holding a license 40 authorizing the sale of wine or brandy.

\_47\_ SB 793

(2) Sell wine and brandy to consumers for consumption off the premises where sold.

- (3) Sell wine to consumers for consumption on the premises.
- (4) Sell all beers, wines, and brandies, regardless of source, to consumers for consumption on the premises in a bona fide eating place as defined in Section 23038 of this code, which is located on the licensed premises or on premises owned by the licensee that are contiguous to the licensed premises and which is operated by and for the licensee. At such bona fide public eating place beer, wine, and brandy may be used in the preparation of food and beverages to be consumed on the premises.
- (5) (A) In addition to the privileges in paragraphs (2), (3), and (4), sell beer, wine, or brandy, regardless of source, to consumers Permit consumers to leave the premises with open containers of alcoholic beverages for consumption-on the premises and off the premises within an entertainment zone if-the all of the following conditions are satisfied:
- (i) The premises is located within the entertainment-zone and consumption zone.
- (ii) Consumption of that type of alcoholic beverage is authorized by the ordinance creating the entertainment zone.
- (iii) Open alcohol containers only leave the premises during the hours allowed by the ordinance establishing the entertainment zone
- (iv) Patrons with open containers exit the premises directly into an entertainment zone.
- (B) This paragraph does not require a licensee to sell any alcoholic beverage for consumption off the premises within an entertainment zone.
- (6) Produce spirits of wine and blend those spirits of wine into wine produced by the winegrower or sell those spirits of wine to an industrial alcohol dealer.
- (b) A winegrower may also have upon the premises all beers, wines, and brandies, regardless of source, for sale or service only to guests during private events or private functions not open to the general public. Alcoholic beverage products sold at the premises that are not produced and bottled by, or produced and packaged for, the winegrower shall be purchased by the winegrower only from a licensed wholesaler.

SB 793 — 48—

 (c) A winegrower shall actually produce on their licensed premises by conversion of grapes, berries, or other fruit, into wine, not less than 50 percent of all wines sold to consumers on their licensed premise or premises and any licensed branch premise or premises.

- (d) The department may, if it shall determine for good cause that the granting of any such privilege would be contrary to public welfare or morals, deny the right to exercise any on-sale privilege authorized by this section in either a bona fide eating place the main entrance to which is within 200 feet of a school or church, or on the licensed winery premises, or both.
- (e) Nothing in this section or in Section 23390 is intended to alter, diminish, replace, or eliminate the authority of a county, city, or city and county from exercising land use regulatory authority by law to the extent the authority may restrict, but not eliminate, privileges afforded by these sections.
- SEC. 5. Section 23396 of the Business and Professions Code is amended to read:
- 23396. (a) Any on-sale license authorizes the sale of the alcoholic beverage specified in the license for consumption on the premises where sold. No alcoholic beverages, other than beers, may be sold or served in any bona fide public eating place for which an on-sale license has been issued unless the premises comply with the requirements prescribed in Section 23038, 23038.1, 23038.2, or 23038.3.
- (b) (1) In addition to the privilege in subdivision (a), any on-sale license for a premises located in an entertainment zone authorizes the sale of an alcoholic beverage licensee to permit consumers to leave the licensed premises with open containers of alcoholic beverages for consumption on the premises and off the premises within the entertainment zone if the all of the following conditions are satisfied:
- (A) The alcoholic beverage is specified in both the license and the ordinance creating the entertainment zone.
- (B) Open alcohol containers only leave the premises during the hours allowed by the ordinance establishing the entertainment zone
- *(C) Patrons with open containers exit the licensed premises* 39 *directly into an entertainment zone.*

**SB 793** 

(2) This subdivision does not require a licensee to sell any alcoholic beverage for consumption off the premises within an entertainment zone.

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

## Article 7. Music Venue License

- 23550. For purposes of this article:
- (a) "On-sale licensee" means a person holding an on-sale general music venue license to serve alcoholic beverages on the premises of a music entertainment facility.
- (b) "Music venue license" means an on-sale general for music entertainment facility license issued pursuant to this article.
- (c) "Music entertainment facility" means a publicly or privately owned live performance venue, concert hall, auditorium, or an enclosed arena where music or entertainment events are presented for a price of admission. The facility does not have to be used exclusively for music or entertainment events. A venue is not a "music entertainment facility" for purposes of this article unless it satisfies all of the following criteria:
  - (1) The facility has defined performance and audience spaces.
- (2) The facility includes mixing equipment, a public address system, and a lighting rig.
- (3) The facility employs one or more individuals to serve not less than two of the following roles:
  - (A) A sound engineer.
- 29 (B) A booker.
- 30 (C) A promoter.
- 31 (D) A stage manager.
- 32 (E) Security personnel.
- 33 (F) A box office manager.
  - (4) There is a paid ticket or cover charge to attend performances at the facility and artists are paid and do not play for free or solely for tips, except for fundraisers or similar charitable events.
  - (5) Performances at the facility are marketed through listings in printed or electronic publications, on websites, by mass email, or on social media.

SB 793 — 50—

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

- (b) The music venue license may be issued for a music entertainment facility providing alcoholic beverage service. Except as provided in this section, only licensees with a music venue license are authorized to sell beer, wine, and distilled spirits at retail for consumption upon the premises of the music entertainment facility. The license shall only be transferable from person to person at the same premises. A music venue license shall not be transferred or sold for a purchase price or consideration in excess of the original fee paid for that license.
- (c) Subject to Section 25631, the music venue licensee may sell, serve, and permit consumption of alcoholic beverages only during the time period from two hours before a live performance until one hour after the live performance.

<del>(c</del>

- (d) (1) Issuance of the license shall be subject to the provisions of Section 23958.4.
- (2) Issuance of the license shall not be subject to the provisions of Section 23816.

<del>(d)</del>

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

<del>(e)</del>

(f) (1) Any person providing alcoholic beverage service at a music entertainment facility pursuant to another type of on-sale license An on-sale general bona fide public eating place licensee or an on-sale general public premises licensee as of the effective date of this section may exchange that license for a music venue license or may transfer that license pursuant to applicable law. license, subject to the qualifications of the premises as specified in this division. The exchange may be made at any time upon the approval of the department, the payment of an exchange fee of

\_51\_ SB 793

one hundred dollars (\$100), and compliance with the provisions of this division relating to the issuance of an original license.

3

- (2) The department may modify its rules regarding the surrender of licenses to implement this subdivision.
- 5 (g) The department may promulgate regulations to implement 6 this article.