

AMENDED IN ASSEMBLY APRIL 15, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1322

Introduced by Assembly Member Daly
(Coauthor: Assembly Member Wilk)

February 27, 2015

An act to amend Section 23399.5 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 1322, as amended, Daly. Alcoholic beverages: licenses: beauty salons: *salons and barber shops*.

Existing law makes it unlawful for any person other than a licensee of the Department of Alcoholic Beverage Control to sell, manufacture, or import alcoholic beverages in this state. Existing law allows the serving of alcohol without a license or permit in a limousine or as part of a hot air balloon ride service, provided there is no extra charge or fee for the alcoholic beverages.

This bill would additionally allow the serving of ~~alcoholic beverages~~ *beer or wine* without a license ~~where the serving of alcoholic beverages is as part of a beauty salon or barber shop service, provided there is service if specified requirements are met, including that there be no~~ extra charge or fee for the ~~alcoholic beverages: beer or wine, the license of the establishment providing the service is in good standing, and the servings are limited to specified amounts.~~

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 23399.5 of the Business and Professions
2 Code is amended to read:

3 23399.5. (a) (1) A license or permit is not required for the
4 serving of alcoholic beverages in a limousine by any person
5 operating a limousine service regulated by the Public Utilities
6 Commission, provided there is no extra charge or fee for the
7 alcoholic beverages.

8 (2) For purposes of this subdivision, there is no extra charge or
9 fee for the alcoholic beverages when the fee charged for the
10 limousine service is the same regardless of whether alcoholic
11 beverages are served.

12 (b) (1) A license or permit is not required for the serving of
13 alcoholic beverages as part of a hot air balloon ride service,
14 provided there is no extra charge or fee for the alcoholic beverages.

15 (2) For purposes of this subdivision, there is no extra charge or
16 fee for the alcoholic beverages when the fee charged for the hot
17 air balloon ride service is the same regardless of whether alcoholic
18 beverages are served.

19 ~~(c) (1) A license or permit is not required for the serving of~~
20 ~~alcoholic beverages beer or wine as part of a beauty salon service,~~
21 ~~provided there service or barber shop service if the following~~
22 ~~requirements are met:~~

23 ~~(1) There is no extra charge or fee for the alcoholic beverages.~~

24 ~~(2) beer or wine. For purposes of this subdivision, paragraph,~~
25 ~~there is no extra charge or fee for the alcoholic beverages when~~
26 ~~beer or wine if the fee charged for the beauty salon service or~~
27 ~~barber shop service is the same regardless of whether alcoholic~~
28 ~~beverages are beer or wine is served.~~

29 ~~(d) (1) A license or permit is not required for the serving of~~
30 ~~alcoholic beverages as part of a barber shop service, provided there~~
31 ~~is no extra charge or fee for the alcoholic beverages.~~

32 ~~(2) For purposes of this subdivision, there is no extra charge or~~
33 ~~fee for the alcoholic beverages when the fee charged for the barber~~
34 ~~shop service is the same regardless of whether alcoholic beverages~~
35 ~~are served.~~

36 ~~(2) The license of the establishment providing the beauty salon~~
37 ~~service or barber shop service is in good standing with the State~~
38 ~~Board of Barbering and Cosmetology.~~

- 1 (3) *No more than 12 ounces of beer or six ounces of wine by*
- 2 *the glass is offered to a client.*
- 3 (4) *The beer or wine is provided only during business hours*
- 4 *and in no case later than 10 p.m.*

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