

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2082**

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**Introduced by Assembly Member Campos**

February 17, 2016

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An act to add Section 23963 to the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2082, as amended, Campos. Alcoholic beverages: ~~licenses.~~  
*licenses: probationary period.*

Existing law, the Alcoholic Beverage Control Act, which is administrated by the Department of Alcoholic Beverage Control, regulates the application, issuance, and suspension of alcoholic beverage licenses.

~~This bill would state the intent of the Legislature to subsequently amend this bill to include provisions that would establish a six-month probationary period for specified licenses issued under the Alcoholic Beverage Control Act.~~ *authorize the department to place a license on a 6-month probationary period when that license is transferred or sold to an entity or individual and currently under review by the department or is transferred or sold to an entity or individual that has been convicted of, or been subject to disciplinary action for, a violation of the Alcoholic Beverage Control Act. The bill would provide that proceedings to revoke a license during a probationary hearing shall be expedited and authorizes the department to consult with other state agencies regarding these provisions.*

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

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

1     *SECTION 1. Section 23963 is added to the Business and*  
2 *Professions Code, to read:*

3     *23963. (a) The department may place a license issued pursuant*  
4 *to this division on a six-month probation under the following*  
5 *circumstances:*

6     *(1) The license is transferred or sold to an entity or individual*  
7 *and is currently under review by the department for a violation of*  
8 *this division.*

9     *(2) The license is transferred or sold to an entity or individual*  
10 *that has been either been convicted of a violation of this division*  
11 *or been subject to disciplinary action by the department because*  
12 *of a violation of this division.*

13     *(b) Violation of a condition of probation or of a provision of*  
14 *this division constitutes cause for revocation of the license.*  
15 *Proceedings to revoke a license during the six-month probationary*  
16 *period shall be expedited.*

17     *(c) The department may adopt regulations establishing a*  
18 *monitoring program to ensure compliance with any terms or*  
19 *conditions of probation imposed by the department pursuant to*  
20 *subdivision (a). The department may consult with other state*  
21 *agencies that administer licensing within the state with regard to*  
22 *any provision of this section, including the establishment of an*  
23 *expedited license revocation proceeding.*

24     ~~SECTION 1. It is the intent of the Legislature to subsequently~~  
25 ~~amend this measure to include provisions that would establish a~~  
26 ~~six-month probationary period for the following alcoholic beverage~~  
27 ~~licenses: licenses that are transferred to another entity or individual~~  
28 ~~and are currently under review by the Department of Alcoholic~~  
29 ~~Beverage Control for conducting illicit activities; licenses that are~~  
30 ~~sold to another entity or individual and are currently under review~~  
31 ~~by the department for conducting illicit activities; and licenses that~~  
32 ~~are sold or transferred to another entity or individual that has been~~  
33 ~~convicted of conducting illicit activities under the Alcoholic~~  
34 ~~Beverage Control Act. The six-month probationary period would~~  
35 ~~include a rapid license revocation process that may be used if the~~

- 1 ~~licensee violates a regulation issued under, or a requirement of,~~
- 2 ~~the Alcoholic Beverage Control Act.~~

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