

**DEPARTMENT OF FINANCE BILL ANALYSIS**

**AMENDMENT DATE:** May 23, 2011  
**POSITION:** Neutral  
**SPONSOR:** Davis Food Co-operative, Inc.

**BILL NUMBER:** SB 339  
**AUTHOR:** L. Wolk

**BILL SUMMARY: Alcoholic Beverage: On-Sale Beer and Wine Licenses**

The Davis Co-Op currently has an on-sale beer and wine eating place license (Type 41) and holds cooking classes twice a week where wine is served. The classes are conducted at the main building which is a Type 41 licensed premises. The classes are held in conjunction with the Co-Op's delicatessen. The delicatessen is a bona fide public eating place for purposes of the Alcoholic Beverage Control Act (ABC Act), however, the Co-Op wishes to move the cooking school to another building where it would operate strictly as an instructional facility.

Under current law, the cooking school's new location would not be eligible for a Type 41 license because the ABC Act requires "the serving of meals to guests." While the cooking school might be eligible for an on-sale beer and wine public premises license or on-sale general public premises license, these licenses would preclude minors from attending classes or even being in the building.

This bill would:

- Amend current law to allow ABC to issue an on-sale beer and wine eating place license (Type 41) to a cooking school where food items are being prepared and sampled by students.
- Make two technical housekeeping amendments to the ABC Act to create consistency within conflicting sections of the Act by allowing the serving of wine at ball parks, stadiums and coliseums.

**FISCAL SUMMARY**

Finance estimates this bill would have no state General Fund impact.

**COMMENTS**

Finance notes the following with regard to this bill.

- This bill would allow the Davis teaching kitchen and other cooking schools to offer courses that include appropriate wine pairings.

Code/Department Agency or Revenue Type	SO LA CO RV	PROP 98	FC	(Fiscal Impact by Fiscal Year)			Fund Code
				2010-2011	2011-2012	2012-2013	
2100/Alcohol Bev	SO	No		No/Minor Fiscal Impact			3036
<u>Fund Code</u> 3036	<u>Title</u> Alcohol Beverages Control Fund						

Analyst/Principal (0762) C. Hill	Date	Program Budget Manager Mark Hill	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

**BILL ANALYSIS** Form DF-43 (Rev 03/95 Buff)

