



CALIFORNIA LEGISLATIVE POSITIONS

2021-2022 Session, 2022 Bills

2022 Assembly Bills

[AB 1734](#)

Version: 4/5/22

Summary: Alcoholic beverages: licensed premises: retail sales.

Allows an alcohol manufacturer that holds licenses to produce more than one category of beverage (i.e., beer, wine, or distilled spirits) to sell all the products for which they have a manufacturers' license in their on-premise retail stores.

Author(s): Bennett (D- Ventura)

AJ Position: OPPOSE – This bill strongly favors Big Alcohol, as the global alcohol companies are almost invariably producers of every category of product. This bill essentially allows these companies to become full-product liquor stores, not only violating the three-tier system but producing a *de facto* series of bargain outlets for alcohol, a product whose safety is in no small part reliant on price point. Off-sale sales at the site of manufacturer are meant to drive and augment visitors' attendance to those sites, it is not meant to create yet further overconcentration of alcohol retail outlets.

Position Letters:

[AB 2037](#)

Version: 4/5/22

Summary: Polling places: alcoholic beverages.

This bill would suspend the prohibition against the state establishing polling sites in locations with on-sale alcohol licenses.

Author(s): Flora (R-Ripon)

AJ Position: OPPOSE – Alcohol service on-site at polling locations may be triggering or distressing to individuals in recovery. Alcohol advertising has the potential to be intimately tied with legislation and/or candidates. The bill offers no conditions under which the polling site must operate to shield the vulnerable from these effects.

Position Letters:

AB 2138

Version: 4/5/22

Summary: Domestic violence: probation: sobriety-monitoring programs.

Creates mechanisms by which individuals convicted of domestic violence must use internet-connected breathalyzers to ensure compliance with injunctions against alcohol use.

Author(s): Maratsuchi (R-Irvine)

AJ Position: WATCH

Position Letters:

AB 2150

Version: 4/5/22

Summary: Cannabis research.

Creates a Center for Cannabis Research within the University of California, including but not limited to a mandate for surveillance and reporting on the effects of cannabis intoxication on automobile crashes and injuries.

Author(s): Lackey (R-Palmdale)

AJ Position: SUPPORT – As a legal drug, the state has an obligation to understand its effects on public health and safety. Because of the long history of prohibition inhibiting public understanding of the effects of cannabis, the industry is currently able to lean on non-public research and/or low-evidence claims to promote products. The University of California has a long track record of cutting-edge research into legal toxicants and is positioned to be a conscientious and objective source for knowledge on the effects of the drug and the cannabis market.

Position Letters:

AB 2210

Version: 5/11/22

Summary: Cannabis: state temporary event licenses: venues licensed by the Department of Alcoholic Beverage Control.

Permits temporary cannabis sales permits at areas with alcohol sales licenses so long as the cannabis sales are in physically distinct areas and no alcohol sales occur in the venue until the morning after cannabis sales have concluded.

Author(s): Quirk (D-Hayward)

AJ Position: WATCH - Alcohol Justice gratefully recognizes the authors' quick and proactive work to revise this bill to respect the alcohol/cannabis firewall.

Position Letters:

AB 2273

Version: 4/5/22

Summary: The California Age-Appropriate Design Code Act.

Requires online platforms likely to be accessed by children to comply with specified standards, including considering the best interests of children likely to access those goods. Such

considerations include the design of the website, the messaging surrounding the site or the goods offered therein, and clear statements of the community standards of any communications occurring on that site. Restricts these business, if their products or services are likely to be accessed by children, from collecting or selling data on children. Establishes the California Children's Data Protection Taskforce to generate best practices for these provisions.

Author(s): Wicks (D-Contra Costa)

AJ Position: SUPPORT – The intersection of the internet (including but not limited to social media) and the alcohol industry is extraordinarily vulnerable to abuse, and the industry's voluntary regulations have long served as lip service at best. Youth-oriented alcohol advertising and sponsored alcohol content from key influencers is rampant on all social media platforms, and arguments for the effectiveness of online age-gates on alcohol company websites assume a comical level of stupidity from children. Since the alcohol industry's growth models are heavily contingent on reaching underage consumers and encouraging harmful patterns of use at a young age, allowing them access to children's data would be extraordinarily dangerous. This bill provides a mechanism to begin reining in the widespread targeting of the most vulnerable consumers.

Position Letters:

[AB 2301](#)

Version: 4/5/22

Summary: Alcoholic beverage sales: beer manufacturers: licensed premises.

Removes the requirement that an alcohol manufacturer who owns on-sale venues buy their own product back from wholesalers to sell at those venues.

Author(s): Wood (D- Santa Rosa)

AJ Position: OPPOSE – This bill closes a loophole wherein alcohol manufacturers who own off-site bar/restaurant spaces have to sell to wholesalers then buy their own product back to sell at their outlet. The problem is, this loophole arose *from the fact that alcohol manufacturers can own bar/restaurants*. That is inherently and explicitly a violation of the idea of a three-tier system, and should be repealed, not facilitated, even if said facilitation takes the form of fixing a functionally silly aspect of alcohol wholesaling.

Position Letters:

[AB 2307](#)

Version: 4/5/22

Summary: Alcoholic beverages: beer manufacturers: branch offices. From 6 to 12.

Increases the number of "tasting rooms" a beer manufacturer can maintain, expands the number of those outlets that are eligible for full restaurant licenses, and removes the requirement that the rooms not be serviced by a wholesaler in which the manufacturer has partial or sole ownership.

Author(s): Berman (Menlo Park)

AJ Position: OPPOSE – This undermines the three-tier system, and in fact positions manufacturers to become chain restaurants. Not only does that make an end-run around the antimonopolistic intent of the three tiers, it actually encourages consolidation within the economic landscape, with big alcohol manufacturers able to monopolize permits from both smaller manufacturers and independent owners.

Position Letters:

[AB 2555](#)

Version: 4/5/22

Summary: Domestic violence: probation: sobriety-monitoring programs.

Mandates that individuals convicted of domestic violence while under the influence of drugs or alcohol be obligated to engage in ongoing sobriety monitoring programs.

Author(s): Blanca Rubio (D-Baldwin Park)

AJ Position: WATCH

Position Letters:

[AB 2580](#)

Version: 4/5/22

Summary: Alcoholic beverages: tied-house restrictions: exceptions.

Allows a specific hotel in West Hollywood to violate tied-house rules, allowing alcohol manufacturers to directly purchase time and advertising space within their premises.

Author(s): Bloom (D- Santa Monica)

AJ Position: OPPOSE – tied-house restrictions exist specifically to prevent this kind of situation, where the interests of the industry become inseparable from the business of unrelated entities. This is yet another "special" exemption justified by the state having already ceded far, far too much power to an industry that seems to be attempting to hold the entire hospitality sector hostage.

Position Letters:

[AB 2733](#)

Version: 4/5/22

Summary: Parolee substance use disorder treatments.

Requires the Department of Corrections to provide referrals to substance use disorder treatment for returning citizens and individuals already on parole who may require it. Creates minimum standards of best practices for treatment programs to which parolees and returning citizens are referred.

Author(s): Wicks (D-Contra Costa)

AJ Position: SUPPORT – Individuals exiting the criminal justice system are at extraordinary risk of relapse for alcohol and other drug problems, including opioids. Reinitiating opioid use after a protracted abstinence is considered an extreme-risk situation for fatal overdose, but all forms of substance use leave returning citizens at greater risk for continued legal issues and physical harm. This is exacerbated by inconsistent quality of programs to which people are referred upon exit.

Position Letters:

[AB 2844](#)

Version: 4/5/22

Summary: Cannabis catering.

Allows cannabis retailers to act as caterers at private events, and specifies there will be no injunction against alcohol or tobacco co-consumption on site.

Author(s): Kalra (D- San Jose)

AJ Position: OPPOSE - The firewall between cannabis and alcohol has two major benefits: 1) cannabis use, which may be less toxic both in the short and long term and certainly is not yet represented by as powerful an industry as alcohol, may be replacing alcohol use; and 2) cannabis consumed along with alcohol is considerably more incapacitating than either consumed alone. This bill explicitly seeks to promote co-consumption, and to do so in the context of cannabis and alcohol catering, i.e. destination events where at least some of the guests are expected to get in their cars and drive.

Position Letters:

[AB 2896](#)

Version: 4/5/22

Summary: Alcoholic beverages: third-party delivery platforms.

Places new obligations upon alcohol deliveries from off-sale outlets. Requires the delivery driver undergo responsible beverage service training, verify the age of the recipient, complete the delivery only directly to a person, and refuse to deliver alcohol to a person who is already intoxicated. It also forbids alcohol delivery via unmanned vehicle.

Author(s): Santiago (D- Los Angeles)

AJ Position: SUPPORT IF AMENDED – Alcohol delivery has expanded significantly during the pandemic, and this bill restores at least some of the safeguards against delivery to underage people and intoxicated people that were threatened by the shift away from purchasing in person. Nonetheless, Alcohol Justice is considering suggesting amendments that would further strengthen concerns around youth access, situations under which furnishing alcohol would create dangerous situation, and delivery services' roles in blurring the definition of overconcentration.

Position Letters:

[AB 2921](#)

Version: 5/18/22

Summary: Alcoholic beverages

Extends the amount of time in which the Alcoholic Beverage Controls Appeals Board must issue a decision on an appeal of a penalty from 60 to 90 days. Tightens the definition of market research alcohol companies are allowed to conduct on the premises of on-sale outlets.

Author(s): Santiago (D- Los Angeles)

AJ Position: WATCH

Position Letters:

2022 Senate Bills

[SB 620](#)

Version: 5/11/22

Summary: Distilled spirits and beer: direct shipper permits.

Allows distillers to use common carrier services (e.g. UPS, FedEx) to ship distilled spirits directly to the doorstep, included manufacturers from outside California.

Author(s): McGuire (D-Healdsburg)

AJ Position: OPPOSE - Common carrier shipment will be a bonanza for Big Alcohol, will sweep the feet out from under both the distributors and the retailers in the three-tier system, and will greatly encourage reflexive overconsumption instead in place of intentionality and mindful alcohol use.

CAPA Position: OPPOSE

Position Letters:

[SB 793](#)

Version: 5/11/22

Summary: Alcohol beverages: music venue license: entertainment zones: consumption.

Allows cities to create "entertainment zones" where customers are able to carry open beverages out of the door and consume on the street. Creates "music venue licenses" where bars become all-ages while putting on a "live music performance".

Author(s): Wiener (D-San Francisco)

AJ Position: OPPOSE - it is not hard to look around the United States and see similar "party zones" to the ones envisioned by the bill. They are rife with violence, often fatal; they create litter and nuisance; and they are destinations for underage consumers. Then there is the music venue license--even with perfect adherence to responsible beverage service and refusal to sell alcohol to underage attendees (which, let's be real, will not happen), forcing every youth who wants to see a concert to be surrounded by drunk adults is not safe. As much as we want to declare nightlife an unremittingly positive space, neither the medical literature nor the experiences of those who frequent shows support this--not all drunk adults are dangerous, but being drunk makes a dangerous adult *much* more so. Moreover, the bar environment creates a marketer's dream: cross-branding a favorite musical act with an alcohol brand. You could not find a better way to perpetuate cycles of alcohol-related trauma if you Googled it.

Position Letters:

[SB 846](#)

Version: 5/11/22

Summary: Alcoholic beverages: retail on-sale license: off-sale privileges

Allows "cocktails-to-go" via home delivery, without any requirement that food be purchased. Creates a licensing schema for delivery services (primarily TNCs).

Author(s): Dodd (D-Napa)

AJ Position: OPPOSE - cocktails to go radically increase alcohol access, promote alcohol consumption in situations where consumers otherwise would not have a drink, and make any

efforts to evaluate or regulate outlet concentration moot. It clearly creates a new, easily exploited channel for youth access to alcohol, and dilutes the liability for age verification while almost eliminating it for service to an intoxicated person. With cap on the amount of alcohol that can be ordered at once, it creates the threat of "ghost bars," which possess the on-sale license but no public presence, no interaction with the public, minimal staff, and the legal right to simply pour off from a tank of pre-mixed cocktail and send it out as far as they can. It is, in short, a big mess.

CAPA Position: OPPOSE

Position Letters:

SB 980

Version: 5/11/22

Summary: Alcoholic beverage licenses.

Hamstrings the Department of Alcoholic Beverage Control's ability to deny licenses based on proximity to schools, parks, churches, and other youth-focused locations. Places the onus on ABC and local complainants to prove that a new license would disrupt reasonable enjoyment of a residence. Requires complainants to positively reassert, by mail, their intention to pursue complaints. Strips notification requirements from license applicants. Allows applicants to withdraw then immediately refile applications.

Author(s): Wiener (D-San Francisco)

AJ Position: OPPOSE - this bill places an array of restrictions on the actions of ABC and the abilities of local communities to even know about license applications, never mind successfully pursue a protest. It is cynical and, worst of all, it is in response to... nothing. ABC denies a total of 5-10 licenses per year across the entire state. The notification costs are less than 1% of the start-up costs of a new on-sale alcohol outlet. All it does is mount the bureaucratic hassle high enough to guarantee that working-class neighborhoods simply cannot control outlet proliferation in their neighborhoods, while empowering any license-seekers so inclined to engage in a variety of deceptive and dismissive practices.

CAPA Position: OPPOSE

Position Letters:

SB 1154

Version: 5/11/22

Summary: Facilities for mental health or substance use disorder crisis: database.

Creates a centralized, state-sponsored database allowing first responders, hospital personnel, social workers, and other social support staff to know what treatment services and recovery beds are available for clients.

Author(s): Eggman (D-Stockton)

AJ Position: SUPPORT - shortening the time between expressed intention to change and access to supportive infrastructure is essential to effective recovery, including from alcohol use disorder. As it stands, AUD-related deaths skyrocketed during the COVID-19 crisis right alongside opioid- and other substance use disorder-related mortality. The critical infrastructure to get people to care is critical to reducing the burden of harm in this state.

Position Letters:

SB 1011

Version: 5/11/22

Summary: Alcoholic beverages: nonprofit corporations: special temporary licenses. Specifies that the geographic area for which a set of special alcohol licenses were previously granted be defined according to 2010 census boundaries. Enables protests to be conducted via computer conferencing or other digital means.

Author(s): Senate GO Committee

AJ Position: WATCH

Position Letters:

SB 1016

Version: 5/11/22

Summary: Special education: eligibility: fetal alcohol spectrum disorder. Explicitly adds Fetal Alcohol Spectrum Disorders to the list of conditions that make a student eligible for special education in California.

Author(s): Portantino (D-La Canada/Flintridge)

AJ Position: SUPPORT - students with FASD are vulnerable to an array of poor educational outcomes, yet are not automatically eligible for special education. This bill recognizes this group of students and fulfills California's education to provide free and appropriate public education.

CAPA Position: SUPPORT

Position Letters:

SB 1154

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Position Letters:

SB 1198

Version: 5/11/22

Summary: Beer manufacturers: direct shipper permits. Allows brewers to use common carrier services (e.g. UPS, FedEx) to ship alcohol directly to the doorstep, included manufacturers from outside California.

Author(s): McGuire (D-Healdsburg)

AJ Position: OPPOSE - the stated rationale for this bill is that California has no choice but to

come into compliance with other states' alcohol shipping laws, under threat of United States Super Court intervention. This strikes us as little more than a rationale to open the gates to the Miller Lite Subscription Service. Common carrier shipment will be a bonanza for Big Alcohol, will sweep the feet out from under both the distributors and the retailers in the three-tier system, and will greatly encourage reflexive overconsumption instead in place of intentionality and mindful alcohol use.

Position Letters:

SB 1280

Version: 5/11/22

Summary: Tied-house restrictions: advertising: San Diego State University.

Allows alcohol manufacturers to purchase advertising from stadiums at San Diego State University, which otherwise would not be allowed as these stadiums are on-sale alcohol license holders.

Author(s): Hueso (D-San Diego)

AJ Position: OPPOSE - tied-house restrictions are mechanisms intended to limit alcohol industry influence. To have a public university beholden to Big Alcohol money to support its athletic programs creates a wide array of problems. First and foremost, universities house a large underage population, and one that experiences real harms from alcohol overconsumption, making industry advertising not just callous but potentially promotive of life-threatening behavior.

Position Letters:

SB 1315

Version: 5/11/22

Summary: Alcoholic beverages: consumption area permits.

Allows a specific edifice in downtown San Jose to install a large, semipermanent outdoor alcohol-consumption area.

Author(s): Cortese (D-San Jose)

AJ Position: OPPOSE - the continual expansion of alcohol consumption into every public space 1) will accelerate the already rising alcohol harm and death in California; 2) will make public spaces less comfortable for individuals in recovery or managing other alcohol-related traumas; 3) will encourage spillover of the harms from overconsumption, including violence and criminal behavior, into spaces where people are not drinking, and which are expected to have patrons of all ages; and 4) create more, poorly observed spaces for youth to obtain alcohol.

Position Letters:

SB 1370

Version: 5/11/22

Summary: Alcoholic beverages: licensees.

Allows a special on-sale alcohol license in support of a nonprofit radio station in Sacramento.

Extends an existing tied-house exemption that allows alcohol manufacturers and other non-retail license holders to sit on the boards of nonprofits with on-sale licenses to include this radio

station.

Author(s): Pan (D-Sacramento)

AJ Position: OPPOSE - the idea that cultural institutions need to be supported by alcohol consumption is ultimately unsustainable, and makes these institutions less hospitable to youth, people recovery, and people who have other trauma surrounding alcohol use. Granting extra on-sale licenses by legislative fiat ignores the limits on alcohol licenses mandated by the state overconcentration formula. More subtly, but possibly more dangerous long term, tied-house restrictions were meant, among other things, to dilute the power of an alcohol industry run amok. Aside from the very real potential for conflict of interest from an alcohol manufacturing licensee sitting on these boards--namely, that they would use these nonprofits as a marketing wing of their company--this specific exemption to tied-house restrictions *perfectly exemplifies why they exist in the first place*. The fact that the legislature would rather rewrite the laws of the state than ask an influential alcohol license holder to reluctantly abandon their hobby of sitting on a nonprofit board, no matter how pure their intentions or how valuable the service provided by the station, should horrify anyone who values good governance.

Position Letters:

[SB 1452](#)

Version: 5/11/22

Summary: Alcoholic beverages: licenses: Counties of El Dorado and Shasta.

Grants El Dorado and Shasta counties an additional 10 full-bar restaurant liquor licenses each beyond the cap set by the overconcentration formula.

Author(s): Dahle (R-Bieber)

AJ Position: OPPOSE - if you should give a mouse a full bar. The overconcentration formula exists to limit the harm from alcohol outlet density. The legislature enjoys passing district bills that steadily raise the number of licenses beyond the formula-granted amount, but never moves to reduce the number of licenses in impacted areas. These are not the first counties to request the exemption and they will not be the last. Arguably it is more hazardous in these low-population, high-tourist counties, as there are fewer transit options for intoxicated patrons and greater average distance to travel, but in the end this end-run tactic should be opposed in all California counties.

Position Letters: