Resolution urging the California Assembly to pass California State Senate Bill No. 793, introduced by California Senator Scott Wiener on February 19, 2021, authorizing the Department of Alcoholic Beverage Control to issue a music venue license, and allowing cities and counties to create “entertainment zones,” within which on-sale licensees can permit consumers to leave the premises with open containers of alcoholic beverages.

WHEREAS, The Alcoholic Beverage Control Act contains various provisions regulating the application for, issuance of, suspension of, and conditions that may be imposed upon alcoholic beverage licenses by the Department of Alcoholic Beverage Control; and

WHEREAS, Existing law provides for various annual fees for the issuance of alcoholic beverage licenses, depending upon the type of license issued; and

WHEREAS, California State Senate Bill No. (SB) 793 would authorize the Department to issue a music venue license that would allow the licensee to sell beer, wine, and distilled spirits at retail for consumption on the premises in a music entertainment facility; and

WHEREAS, Under existing law, any person possessing an open container of an alcoholic beverage in any public place owned by a city, county, or city and county, or any regional park or recreation and park district, is guilty of an infraction if the jurisdiction has enacted an ordinance that prohibits the possession of those containers or the consumption of alcoholic beverages in those areas, except as specified and

WHEREAS, Existing law authorizes the legislative body of any city, county or city and county to adopt ordinances regulating zoning within its jurisdiction; and
WHEREAS, 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; and

WHEREAS, SB 793 would authorize a licensed beer manufacturer, a licensed winegrower, and any on-sale licensee to permit consumers to leave the premises with open containers of alcoholic beverages for consumption off the premises within an entertainment zone, subject to certain conditions; and

WHEREAS, SB 793 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, 2023, that authorizes consumption of one or more types of alcoholic beverages on public streets, sidewalks, or public rights-of-way in that zone; and

WHEREAS, On January 12, 2022, SB 793 passed the Senate with a unanimous 32-0 vote; now, therefore, be it

RESOLVED, That the Board of Supervisors supports California Senate Bill No. 793; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the Board to transmit a copy of this Resolution to San Francisco’s state legislative delegation, the Office of the Chief Clerk of the Assembly, and the Office of Governor Newsom.
Resolution urging the California Assembly to pass California State Senate Bill No. 793, introduced by California Senator Scott Wiener on February 19, 2021, authorizing the Department of Alcoholic Beverage Control to issue a music venue license, and allowing cities and counties to create "entertainment zones," within which on-sale licensees can permit consumers to leave the premises with open containers of alcoholic beverages.

May 24, 2022 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

I hereby certify that the foregoing Resolution was ADOPTED on 5/24/2022 by the Board of Supervisors of the City and County of San Francisco.

London N. Breed
Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board