

California Alcohol Policy Alliance



Alcohol Justice
Alcohol-Narcotic Education
Foundation
AADAP, Inc.
ADAPT San Ramon Valley
Bay Area Community Resources
Behavioral Health Services, Inc.
CA Council on Alcohol Problems
Center for Human Development
Center for Open Recovery
Eden Youth and Family Center
Institute for Public Strategies
FASD Network of Southern CA
FreeMUNI – SF
Friday Night Live Partnership
Koreatown Youth and Community
Center
L.A. County Friday Night Live
L.A. Drug & Alcohol Policy
Alliance
Lutheran Office of Public Policy –
California
MFI Recovery Center
Mountain Communities Family
Resource Center
Partnership for a Positive Pomona
Paso por Paso, Inc.
Project SAFER
Pueblo y Salud
Reach Out
San Marcos Prevention Coalition
San Rafael Alcohol & Drug
Coalition
Santee Solutions
SF DogPAC
SAY San Diego
Saving Lives Drug &
Alcohol Coalition
South Orange County Coalition
Tarzana Treatment Centers, Inc.
The Wall Las Memorias Project
UCEPP Social Model Recovery
Systems
Women Against Gun Violence
Youth for Justice

CAPA Legislative Positions 2017

(November 3, 2017)

Main positions:

AB 1054 Dead (Stopped in 1st committee – GO)

Summary: Exempts the use of powdered alcohol as an ingredient in non-powdered products from the state's prohibition on powdered alcohol.

Author(s): Assembly Member Bill Brough (R-Dana Point), Assembly Member Ken Cooley (D-Cordova)

AJ Position: Oppose - Powdered alcohol is a youth-oriented product now banned in 34 states including California. The legislature in 2016 overwhelmingly passed two pieces of legislation outlawing powdered alcohol. This bill, with tortuous and confusing wording, opens the barn door again and would make the statute banning powdered alcohol thoroughly confusing if not meaningless. If this was a law suit, it would be thrown out as frivolous.

CAPA Position: Oppose

Final Note: Stopped in 1st committee (GO), not likely to return in 2018.

Senate Bill 384 Amended by assembly to no longer be alcohol-related

Summary: Allows for on-sale licensees to apply to extend their closing times from 2 a.m. until 4 a.m. Makes it a misdemeanor for any person under 21 years of age to remain in the permitted public premises during the additional serving hours.

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

AJ Position: STRONGLY OPPOSE - This is the worst alcohol-related legislation of this session. Extending the hours of operation for on-sale retailers will result in increased alcohol-related harm. This bill recycles a rejected bill from 2013 (SB 635-Leno). Alcohol service from 2 a.m. to 4 a.m., even in special "entertainment districts," extends neighborhood noise, street violence, and impaired driving to the hours of 4 a.m. at least, and DUIs and traffic collisions could snarl early morning commuter traffic regionally. Without adequate local mitigation fees on alcohol, there will be vast increases to costs of night owl transportation (if any), police, sheriff, CHP, ambulance service, and emergency room usage. We encourage concerned individuals to TAKE ACTION.

CAPA Position: Strong oppose

Final Note: Author expected to re-introduce in some form in 2018 Or 2019

Other Bills:

AB 6 Amended – no longer alcohol-related

Summary: Requires the Commissioner of the California Highway Patrol to establish a drugged driving task force, to develop recommendations for best practices, protocols, proposed legislation, and other policies that will address the issue of driving under the influence of drugs, including prescription drugs. The task force is to examine the use of technology, including field testing technologies, to identify drivers under the influence of drugs, and authorizes the task force to conduct pilot programs using those technologies. The task force is to report to the Legislature its policy recommendations and the steps that state agencies are taking regarding drugged driving.

Author(s): Assembly Member Tom Lackey (R-Palmdale)

AJ Position: Support if Amended – The operation of motor vehicles by drivers under the influence of alcohol and drugs remains a significant threat to the safety to

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Californians. This bill moves in the right direction on studying new technologies for drug testing, although it delays immediate reform of current law. We request amendment that an alcohol prevention coalition have representation so that interactions with alcohol will be considered.

CAPA Position: Support if Amended

Final Note: Trailered into SB 94, passed and signed into law.

AB 63 Passed Senate floor vote

Summary: Extends the age range for the provisional licensing program from 16 to under 21.

Author(s): Assembly Member Jim Frazier (D-Oakley)

AJ Position: Support – A leading cause of death for young adults is car crashes, and about a quarter involve an underage drinking driver. Graduated Driver Licensing (GDL) programs have been proven to be successful in greatly reducing first-time driver-involved crashes. Expanding California’s first-time teenage driver GDL program to include persons who are under 21 years of age, but over 17 years of age, allows first-time teenage drivers enough time to fully complete the driver education and provisional or restricted driver’s license phase of the GDL program.

CAPA Position: Support

Final Note: Passed by legislature, vetoed by Governor Brown for the second time, unlikely to be introduced again.

AB 629 Dead

Summary: Exempts art galleries from needing to obtain a license or permit to furnish or give away beer and wine to patrons of the gallery for consumption on the gallery premises as long as the costs of the wine and beer are not included in the sales price of any art or merchandise sold by the gallery.

Author(s): Assembly Member Matthew Harper (R-Huntington Beach)

AJ Position: Oppose - Similar to the pernicious barbershop/beauty salon legislation last year, this allows any art gallery to serve wine or beer without licensing, training, monitoring or enforcement.

CAPA Position: Oppose

Final Note: Stopped in 1st committee (GO), likely to return in 2018, must pass out of Assembly by 1/31/18.

AB 711 Signed into law

Summary: Allows beer manufacturers to provide directly to consumers free or discounted rides through taxicabs, transportation companies, or any other ride service. Prohibits beer and wine wholesalers from sharing in the cost or serve as an agent for a beer manufacturer to provide free or discounted rides. Prohibits conditioning free or discounted ride on the purchase of an alcoholic beverage.

Author(s): Assembly Member Evan Low (D-Silicon Valley)

AJ Position: Oppose – While drunk driving is serious concern to public safety, and efforts to reduce it should generally be applauded, this bill implicitly allows for beer manufacturers to promote the overconsumption of alcohol.

CAPA Position: Oppose

AB 1722 Amended summary and position, passed and signed into law.

Summary: Extends definition requirement that a “coupon” provide an instant discount to allow for mail-in rebate or discounts. End prohibition on the issuance of a license, other than an on-sale beer license, for premises situated more than one mile outside the limits of an incorporated city and within 2 miles of any camp or establishment of men, numbering 25 or more, engaged upon or in connection with the construction, repair, or operation of any work, improvement, or utility of a public or quasi-public character.

Author(s): Committee on Governmental Organization

AJ Position: Oppose – Lower prices on alcohol as well as increasing the availability of alcohol is associated with increased alcohol-related harm. Allowing more types of “coupons” and expanding the number of locations where licenses may be issued, no matter how minimal, will increase availability and therefore impact public health.

CAPA Position: Oppose



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SB 65 Enrolled, signed into law.

Summary: Makes driving or operating a vehicle upon any highway or specified lands, or driving or operating a boat, vessel, or aircraft while drinking any alcoholic beverage, punishable as an infraction.

Author(s): Senator Jerry Hill (D-San Mateo)

AJ Position: Support – Interventions aimed at reducing drinking and driving are an important addition to reducing acute alcohol-related harm.

CAPA Position: Support

SB 378 Amended and in Assembly Appropriations

Summary: Authorizes the ABC to investigate potential violations of the ABC Act and bring an action to enjoin a violation or threatened violation. When direct evidence is presented, and supported by a preponderance of the evidence indicating a pattern of behavior, the ABC director may temporarily suspend, limit, or condition, any license by emergency order prior to any hearing when, in the opinion of the ABC, the action is urgent and necessary to protect against an immediate threat to health or safety. An immediate threat to health and safety is defined as the following crimes occurring on the premises: child endangerment; extortion; human trafficking; illegal use, manufacture, or distribution of controlled substances; prostitution; sexual assault; or, violence resulting in great bodily injury or death.

Author(s): Senator Anthony Portantino (D-La Cañada Flintridge)

AJ Position: Support – We support providing the ABC greater authority in bringing action against problem retailers. However, we strongly favor the addition of illegal alcohol sales to the list of crimes that can immediately threaten health and safety.

CAPA Position: Support

Final Note: Now a two-year bill deserving of full support.

SB 582 Passed and signed into law.

Summary: Expands existing law to allow for certain alcohol manufacturers to purchase advertising time and space from, or on behalf of, an on-sale retail licensee that operates at an outdoor stadium with at least 70,000 seats in the City of Inglewood and a performance venue adjacent to the stadium with a capacity of at least 5,000 seats. This is the stadium that will house the Rams and the Chargers.

Author(s): Senator Steven Bradford (D-Gardena)

AJ Position: Oppose - Football stadiums, often with youth present or watching on TV, are swimming in alcohol advertising. Granting yet another regulatory exemption for more alcohol advertising at a professional stadium is wrong-headed. This bill also blurs the necessary separation between the manufacturing and on-sale retail sector. The entire section 25503.6 of Business and Professions code is a repository for advertising exemptions that we find objectionable; this bill adds a 17th specific exemption.

CAPA Position: Oppose