

## Assembly Bill No. 23

### CHAPTER 18

An act to amend Section 23039.1 of the Business and Professions Code, relating to alcoholic beverages and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 2, 2008. Filed with Secretary  
of State June 2, 2008.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 23, Ma. Alcoholic Beverage Control Act: cabaret theaters.

Existing law provides that any on-sale beer and wine public premises licensee that has been licensed at premises, operated as a cabaret theater for at least 10 years, with a seating capacity for at least 375 patrons may admit persons under 21 years of age to matinee theater performances on Sundays, provided that alcoholic beverages are not sold, served, or consumed on the premises during those performances.

This bill would allow those licensees operating a cabaret theater to admit persons under 21 years of age to theater performances at any time, provided that alcoholic beverages are not sold, served, or consumed on the premises during those performances.

This bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 23039.1 of the Business and Professions Code is amended to read:

23039.1. Notwithstanding any other provision of law, any on-sale beer and wine public premises licensee who has been licensed at premises operated as a cabaret theater for at least 10 years and which has a seating capacity for at least 375 patrons may admit persons under the age of 21 years to theater performances provided that alcoholic beverages are not sold, served, or consumed on the premises during those performances.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that students in our communities are given immediate opportunities during the 2007–08 school year and 2008–09 school year to attend theater performances which are a part of an afterschool program designed to broaden their educational experiences and extracurricular

activities, and to provide students additional safe places to be during afterschool hours, it is necessary that this act take effect immediately.