

Disclaimer:

This document is not intended to provide legal advice. Laws on alcohol sales and service may vary greatly by city, county or state. For complete information on the alcohol laws in effect in your region, please contact the liquor authority in your state and/or municipality.

California

STATE LIQUOR AUTHORITY	State of California Department of Alcoholic Beverage Control 3927 Lennane Drive, Suite 100 Sacramento, California 95834 Phone: 916-419-2513 Fax: 916-419-2516 General Internet Site Address: www.abc.ca.gov
AGE TO CONSUME	21
AGE TO SERVE	21 for cocktail servers; 18 for servers other than cocktail servers so long as service of alcohol beverages are incidental to food service.
AGE TO POUR	21
AGE TO SELL (PACKAGED LIQUOR)	18
MINORS ALLOWED ON PREMISE?	Persons under 21 years of age may not enter and remain in any premises with a green colored ABC license except on lawful business. These premises are required to post a sign visible from the exterior at each public entrance and another one inside state that no one under the age of 21 is allowed inside. Minors may enter and remain in any licensed premises which have a pink- colored ABC license.
CAN PARENTS SERVE?	Minors are not allowed to consume alcohol in the presence of their parents or legal guardian under any circumstances, either on or off a licensed premise, except that a very small amount of an alcoholic beverage may be consumed in a bonafide religious service. The prohibition extends to all locations in the state, not only with a licensed premise. Those furnishing alcoholic beverages to minors face a misdemeanor charge regardless of the location (except as described above.)
HOURS OF SERVICE	Sales are permitted between 6:00 a.m. and 2:00 a.m. of the next day, unless restricted by special ABC conditions.
ACCEPTED ID'S	Accepted Forms of ID: The ABC recommends the licensees accept only "Bona Fide" identification which are currently valid, issued by a Government Agency and contain the following criteria: Name of person, Photograph, Physical description, Date of birth, Issued by a Governmental Agency and must be valid (not expired). Relying on identification using these 6 elements provides a legal defense to a violation of California Code Section 25658. For additional information see Sections 25668-25660 of the B&P Code.
LEGAL LEVEL OF INTOXICATION WHILE DRIVING	.08 BAC
DRAM SHOP LAW	The state of California recognized the consumption of alcohol, rather than the Service of alcohol, as the "proximate" cause of injury or damages due to the actions of an intoxicated guest. However, the licensee and server are civilly liable if a visibly intoxicated minor is served, and subsequently is injured or dies as the result of intoxication.
ID CONFISCATION	A licensee or his employee may seize any identification from a person that shows to be under 21 or false, so long as a receipt is given to the person from whom it was seized and the seized identification is given over to the local law enforcement agency that has jurisdiction over the premises within 24 hours.
HAPPY HOUR & OTHER SERVICE RESTRICTIONS	Licensees may not offer free drinks, two-for-one drink specials or anything of value in conjunction with the sale of an alcoholic beverage. The law allows a licensee to offer a food and drink combination for a special price as long as the drink is not free or complimentary. The price paid for a meal alone must be less than the price for a meal and an alcoholic

	beverage together. There is no difference between “ happy hour,” “drink specials” and /or “promotions” as these are generic terms used to describe reduced rates for drinks and are permitted as long as the retailer charges a price for the drink which does not under –cut the wholesales price paid.
PENALTIES FOR SERVING OR SELLING TO A MINOR	<ul style="list-style-type: none"> • Minors in a public premises(bar/green license): penalty for licensee is maximum penalty of \$ 1000 and/or 6 months in county jail • Minors in a public premises (bar): penalty for minor is fine not less than \$200 • Sale during prohibited hours: maximum penalty of \$1000 and/or 6 month in county jail • Sale to an intoxicated person: maximum penalty of \$1000 and/or 6 months in county jail • Sale to a habitual drunkard: maximum penalty of \$1000 and/or 6 months in county jail • Sale to minors: maximum penalty of \$250 and/or 24-32 hours Community Service • Sale to minors – 2nd offense: maximum penalty of \$500 and/or 36-48 hours of Community Service • Furnishing alcohol to a minor: \$1000 and 24 hours Community Service • Furnishing alcohol to a minor resulting in great bodily injury or death: minimum 6 months in jail and/or maximum \$1000 fine <p>ABC administrative penalties are determined on a case-by-case basis.</p>
WARNING SIGNS REQUIRED ON EFFECTS OF ALCOHOL ON FETUS?	Signs warning women on the dangers of drinking alcohol while pregnant are required to be posted in areas visible to the guests.

ADDENDUM: CALIFORNIA DRAM SHOP LAW

25602. (a) Every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to any habitual or common drunkard or to any obviously intoxicated person is guilty of a misdemeanor.

(b) No person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage pursuant to subdivision (a) of this section shall be civilly liable to any injured person or the estate of such person for injuries inflicted on that person as a result of intoxication by the consumer of such alcoholic beverage.

(c) The Legislature hereby declares that this section shall be interpreted so that the holdings in cases such as Vesely v. Sager (5 Cal. 3d 153), Bernhard v. Harrah's Club (16 Cal. 3d 313) and Coulter v. Superior Court (___ Cal. 3d ___) be abrogated in favor of prior judicial interpretation finding the consumption of alcoholic beverages rather than the serving of alcoholic beverages as the proximate cause of injuries inflicted upon another by an intoxicated person.

25602.1. Notwithstanding subdivision (b) of Section 25602, a cause of action may be brought by or on behalf of any person who has suffered injury or death against any person licensed, or required to be licensed, pursuant to Section 23300, or any person authorized by the federal government to sell alcoholic beverages on a military base or other federal enclave, who sells, furnishes, gives or causes to be sold, furnished or given away any alcoholic beverage, and any other person who sells, or causes to be sold, any alcoholic beverage, to any obviously intoxicated minor where the furnishing, sale or giving of that beverage to the minor is the proximate cause of the personal injury or death sustained by that person.

1714. (a) Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person, except so far as the latter has, willfully or by want of ordinary care, brought the injury upon himself or herself. The design, distribution, or marketing of firearms and ammunition is not exempt from the duty to use ordinary care and skill that is required by this section. The extent of liability in these cases is defined by the Title on Compensatory Relief.

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(b) It is the intent of the Legislature to abrogate the holdings in cases such as *Vesely v. Sager* (1971) 5 Cal.3d 153, *Bernhard v. Harrah's Club* (1976) 16 Cal.3d 313, and *Coulter v. Superior Court* (1978) 21 Cal.3d 144 and to reinstate the prior judicial interpretation of this section as it relates to proximate cause for injuries incurred as a result of furnishing alcoholic beverages to an intoxicated person, namely that the furnishing of alcoholic beverages is not the proximate cause of injuries resulting from intoxication, but rather the consumption of alcoholic beverages is the proximate cause of injuries inflicted upon another by an intoxicated person.

(c) No social host who furnishes alcoholic beverages to any person may be held legally accountable for damages suffered by that person or for injury to the person or property of, or death of, any third person, resulting from the consumption of those beverages.