



Shared Common License Areas: AB 977 (Aguiar-Curry)

COMPLIANCE FACT SHEET

UPDATED: March 14, 2019

AB 977 was signed into law as of January 1, 2018. This law amended Section 25607 of the Business and Professions Code to allow Type 02 (winegrowers), Type 01 (beer manufacturers) and Type 23 (small beer manufacturers), to share a common area in which the consumption of beer and wine is permitted.

The use of such common areas is permitted only if the following apply:

- The production premises are immediately adjacent to each other
- The licenses are “master” licenses (not duplicates or “branch offices”)
- Other specified circumstances as dictated and approved by the ABC

[This law was updated as of January 2019 to include Type 74 Licensees and you can read about compliance with that law here.](#)

Additional details about the shared premises included below:

- There is NO need for each licensee involved to designate a portion of the tasting space for their customers
- The entire tasting area is available for use by all licensees
- ALL licensees have equal regulatory liability relative to sales, service and consumption
- The local ABC office can establish their own conditions for approval

AB 977 Amended Section 25607 of the Business and Professions Code, effective January 1, 2018 The Alcoholic Beverage Control Act:

(a) except as provided in subdivisions (b) and (c), it is unlawful for any person or licensee to have upon any premises for which a license has been issued any alcoholic beverages other than the alcoholic beverage which the licensee is authorized to sell at the premises under his or her license. It shall be presumed that all alcoholic beverages found or located upon premises for which licenses have been issued belong to the person or persons to whom the licenses were issued. Every person violating the provisions of this section is guilty of a misdemeanor. The department may seize any alcoholic beverages found in violation of this section.

(b) a bona fide public eating place for which an on-sale beer and wine license has been issued may have upon the premises brandy, rum, or liqueurs for use solely for cooking purposes.



(c) (1) a licensed winegrower and a licensed beer manufacturer that holds a small beer manufacturer's license, whose licensed premises of production are immediately adjacent to each other and which are not branch offices, may, with the approval of the department and under such conditions as the department may require, share a common licensed area in which the consumption of alcoholic beverages is permitted, only under all of the following circumstances:

(a) the shared common licensed area is adjacent and contiguous to the licensed premises of both the licensed winegrower and the licensed beer manufacturer that holds a small beer manufacturer's license.

(b) the licensed premises of both the licensed winegrower and the licensed beer manufacturer that holds a small beer manufacturer's license are not branch offices.

(c) the shared common licensed area must be readily accessible from the premises of both the licensed winegrower and the licensed beer manufacturer without the necessity of using a public street, alley, or sidewalk.

(d) except as otherwise authorized by this division, the alcoholic beverages that may be consumed in the shared common licensed area must be purchased by the consumer only from either the licensed winegrower or the licensed beer manufacturer.

(e) both the licensed winegrower and the licensed beer manufacturer shall be jointly responsible for compliance with the provisions of this division and for any violations that may occur within the shared common licensed area.

(2) nothing in this subdivision is intended to authorize either the licensed winegrower or the licensed beer manufacturer to sell, furnish, give, or have upon their respective licensed premises any alcoholic beverages, or to engage in any other activity, not otherwise authorized by this division.