

PRIVATE PARTIES - ABC (Alcohol Beverage Control)

Section 23399.1 of the California Business & Professions Code explains the circumstances when an alcoholic beverage license is not required:

1. That there is no sale of an alcoholic beverage.
2. That the premises are not open to the general public during the time alcoholic beverages are served, consumed or otherwise disposed of.
3. That the premises are not maintained for the purpose of keeping, serving, consuming or otherwise disposing of alcoholic beverages.

All three of the above elements must exist. If a proposed event meets the statutory definition of a "private party," then no ABC license is required.

Note: Any event occurring on a licensed premises is not a "private party" under this provision. Events or activities on a licensed premises are subject to all rules and regulations applying to the licensee. Be aware that the definition of "sale" includes indirect transactions other than merely paying for a glass of wine or other drink containing alcohol. For instance, if an admission fee is charged or there is a charge for food and the alcohol is included, but not separately charged, an ABC license is required.

Note: No provision of the ABC Act may be violated even though the event itself does not require a license. If a license is required, or you have a question about a particular event, you should contact the ABC district office closest to where the event will occur.