

## **State Agency Close-up: The Alcoholic Beverage Control Appeals Board**

Did you know that the Alcoholic Beverage Control Appeals Board is an entirely separate state entity from the Department of Alcoholic Beverage Control? The Board may be a lesser-known state entity to many, but has real significance for alcoholic beverage licensees who may at some point face disciplinary action from the Department of ABC.

The three-member Board provides quasi-judicial administrative review of Department of ABC decisions regarding: issuing alcoholic beverage licenses, license conditions, protests against a license, and violations of law by a licensee. Common appeals involve a licensee selling alcohol to minors, drug sales by a licensee, and protests against the issuance of licenses involving noise ordinances or other community concerns.

If a licensee receives a final decision from the Department of ABC, they have a right to appeal with the Board. The Board hears cases at monthly board meetings and decides appeals based upon a review of the record and any legal briefs filed by those involved in the case.

To many appellants, the Board may be a "court of last resort," due to the greater cost to appeal at a higher lever and the infrequency with which appeals are granted review in the California Courts of Appeal and Supreme Court. Appellants to the Board range from billion-dollar corporations with hundreds of thousands of employees to mom-and-pop shops with one family member working the counter. The same ABC laws apply to all, and they all have the same right to appeal. There is no fee to file an appeal with the Board, just the cost of the reporter's transcript of the administrative hearing and exhibits.

The Board's mission is to provide Californians who appeal with an efficient, timely, and approachable appeals process and a fair and transparent legal review. The Board's decisions have broad impacts on business owners, public safety, and California communities.

The Board's staff is available to answer questions on the appeals process or filing procedures at 916-445-4005. Please see the Board's [website](#) to learn more about the Board and how to file an appeal.