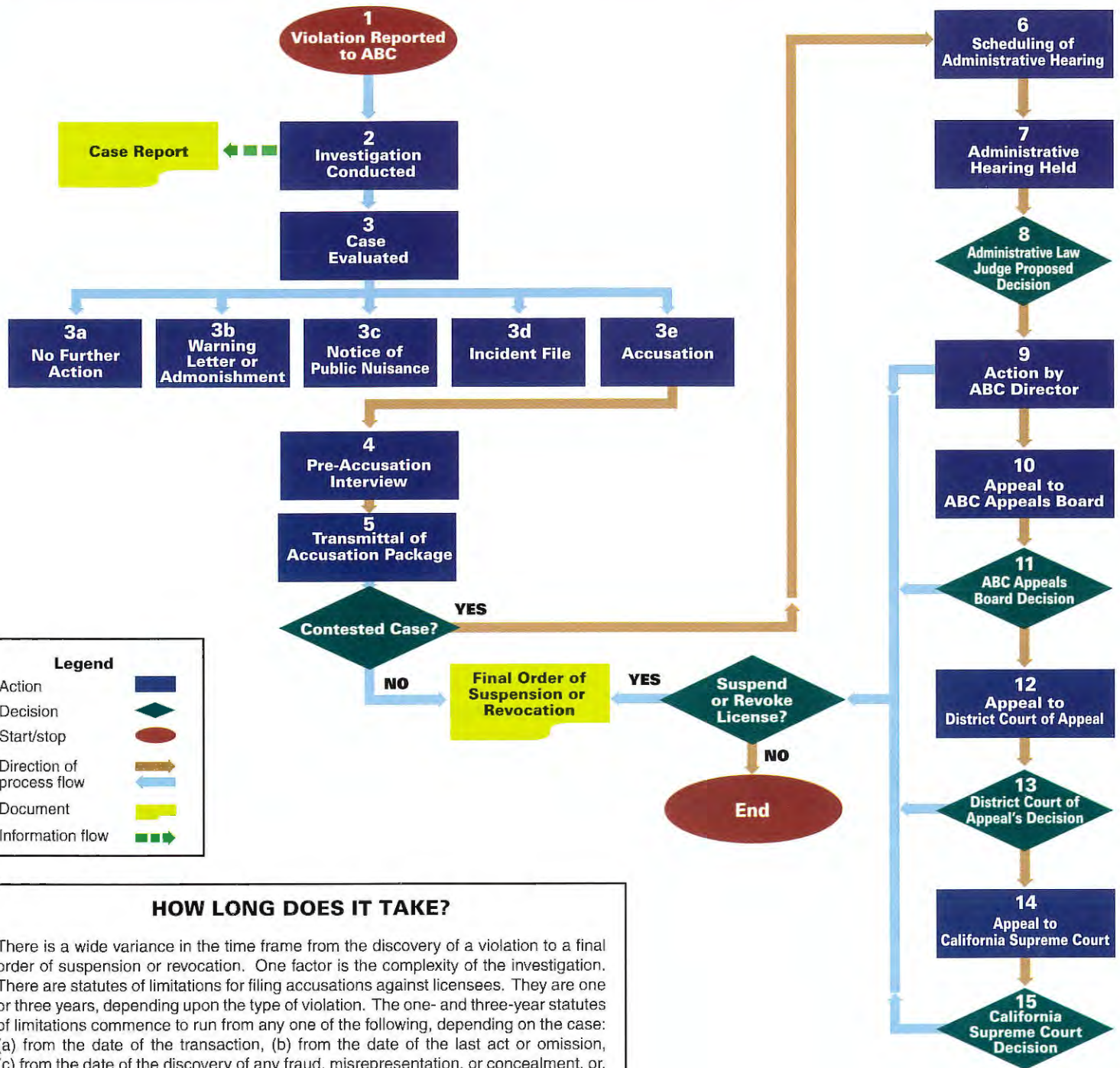


# ALCOHOLIC BEVERAGE LICENSE—DISCIPLINARY PROCESS



**Legend**

- Action
- Decision
- Start/stop
- Direction of process flow
- Document
- Information flow

## HOW LONG DOES IT TAKE?

There is a wide variance in the time frame from the discovery of a violation to a final order of suspension or revocation. One factor is the complexity of the investigation. There are statutes of limitations for filing accusations against licensees. They are one or three years, depending upon the type of violation. The one- and three-year statutes of limitations commence to run from any one of the following, depending on the case: (a) from the date of the transaction, (b) from the date of the last act or omission, (c) from the date of the discovery of any fraud, misrepresentation, or concealment, or, (d) from the date a criminal conviction becomes final.

### Investigation and Filing of Accusation (Steps 2–5)

—**Accusations to be filed within one year.** Beer price posting and marketing regulations; labels and containers; free goods; habitual drunkard/obviously intoxicated person; unlawful possession on licensed premises; substitution of brands; destroying serial numbers; exterior signs; obnoxious signs/retail operating standards; alcoholic content of beer; retail hours of sale; permitting consumption during restricted hours, wholesale deliveries; sales to, or permitting consumption by, minors; employment of minors; advertising encouraging minors to drink; or minors in public premises.

—**Accusations to be filed within three years.** Sales without a license; misuse of license privileges; license privileges (club or veterans' club); selling narcotics or soliciting drinks on premises; tied-house restrictions; disorderly house; or false returns and records.

### Hearing and Appeals (Steps 6–15)

–Scheduling of Administrative Hearing	60 days
–Administrative Law Judge Proposed Decision	30 days
–Action by ABC Director	3–10 days
–Appeal to ABC Appeals Board	40 days
–Appeals Board Decision	120 days
–Appeal to District Court of Appeal	30 days
–District Court of Appeal's Decision	No time mandated
–Appeal to California Supreme Court	30 days
–Supreme Court Decision	No time mandated