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California's 4 A.M. Last Call Bill 86'd for Now

Public health & safety grassroots advocacy trumps nightlife industry's push for greater profit.

SAN FRANCISCO, CA (September 22, 2017) - [California Alcohol Policy Alliance \(CAPA\)](#), and [Alcohol Justice](#) are breathing a hard-fought sigh of relief as the 2017 California legislative session draws to a close because at least one bill was notably—and mercifully—absent—the 4 A.M. Bar Bill.

State Sen. Scott Wiener's SB 384 was a dangerous piece of legislation that would have stripped away the standard protections of a normal 2 a.m. closing time. But by the time the bill hit the Assembly floor it had been completely gutted and recast as a bill seeking to reform the state sex offender registry. All reference to the hazardous, entertainment-industry-backed assault on public health and safety laws was gone. It appears that for at least a few more years, bars will close at their normal time.

Even for a bill that seemed destined to be the apple of Big Alcohol's eye, SB 384 was shrouded in controversy. A resurrection of a failed bill from 2013, SB 384 drew the ire of local health, prevention, and recovery groups as well as MADD and law enforcement organizations that rallied at every opportunity to express strong opposition. They drew the attention and support of a steadily growing chorus of elected representatives, determined to call out the damage their constituents would suffer from an ostensible "local control" bill. All of their voices were heard.

Then there were SB 384 supporters' missteps. Sen. Wiener (D-San Francisco) first tried to compare the opportunity to party late to the struggle of African American communities by appropriating the slogan "Night Life Matters." He then reinforced this tone deaf approach with red-herring arguments that a 4 a.m. last call could've prevented the Ghost Ship tragedy.

With the help of shoddy science and a flurry of amendments that were hidden from the public until well after the bill was voted on, Wiener ushered SB 384 through the State Senate and the Assembly GO Committee. However, it would go no further as the 4 A.M. Bar Bill.

"While Senator Wiener did a masterful job in the Senate at pulling the wool over his colleagues' eyes, he ran into the truth in the Assembly Appropriations Committee," said Jorge Castillo, spokesperson for the Los Angeles Drug and Alcohol Policy Alliance. "His denial of peer-reviewed research on increasing alcohol-related harm and his constant crowing about the virtually worthless 'local control' process were finally challenged."

The end came in two steps. First, the bill was held up in the Assembly Appropriations committee. The committee had real concerns over its projected costs—both in terms of government spending and lives lost—and dramatically reshaped it into a task force intended to study the long-term effects of state-sanctioned early-morning drinking.

“Smart minds prevailed ... in the Assembly Appropriations Committee as SB 384 was gutted, and gutted well for very good reasons,” said Richard Zaldivar, Executive Director of The Wall Las Memorias Project and Chair of CAPA. “That bill was bad for California residents, their public health, and public safety. The people of California won.”

Next, possibly alarmed by what a new task force could find, or possibly deciding he had more urgent legislative priorities, Sen. Wiener then withdrew all alcohol-related language from the bill (he later told the San Francisco Chronicle, “There is nothing to study”); the gutted-and-amended SB 384, now addressing problems with the sex offender registry, passed both chambers.

Unfortunately, the end for the bill this year does not mean the end for the struggle to contain alcohol harm. Speaking to the Chronicle, Wiener said he was, “...not giving up on this bill. We are going to bring the bill back next year and limit it only to cities... that want the ability to make the change.” According to Wiener those cities are San Francisco, West Hollywood, Long Beach, Oakland, and Sacramento.

“That’s just ridiculous,” said Bruce Lee Livingston, Executive Director/CEO of Alcohol Justice. “California cities aren’t islands. Dangerous driving, assault, fatigue, and health problems will have no problems crossing city limits into every neighboring community.”

In those respects, then, Sen. Wiener is partially right: in this era of rampant deregulation, Alcohol Justice and the California Alcohol Policy Alliance do not need a new study to know they need to fight to keep common-sense public health protections in place, including a uniform, normal, statewide 2 a.m. last call.



Los Angeles City Councilmember Paul Koretz with CAPA members at a press conference on August 31, 2017 at L.A. City Hall supporting a resolution opposing Wiener's 4 a.m. Bar Bill. (Photo by Sara Cooley)

For More Information go to: www.AlcoholJustice.org or www.alcoholpolicyalliance.org/

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