

THE ALCOHOLIC BEVERAGE CONTROL APPEALS BOARD: WHERE ABC LICENSEES PLEAD THEIR CASE



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The California Alcoholic Beverage Control Appeals Board may be a lesser-known state entity to some, but it has real significance for alcoholic beverage licensees who may at some point face disciplinary action from the California Department of Alcoholic Beverage Control (ABC).

The Board is an entirely separate state entity from ABC. The three-member Board provides quasi-judicial administrative review of ABC decisions regarding issuing alcoholic beverage licenses, license conditions, protests against a license, and violations of law by a licensee. Common appeals heard by the Board involve licensees selling alcohol to minors, drug sales or illegal gambling 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 ABC, they may have a right to appeal with the Board. The questions that may be considered by the Board are limited by the California Constitution and by [statute](#).

The Board hears appeals at monthly hearings, and it decides matters based upon a review of the administrative record, legal briefs, and oral argument presented by the parties. The Board issues written decisions with orders affirming, reversing, and/or remanding ABC decisions. Judicial review of the Board's order may be obtained by filing a petition for writ of review with the California Supreme Court or the Court of Appeal.

Appellants range from billion-dollar corporations to mom-and-pop shops. The same ABC laws apply to all, and all licensees have the same right to an independent review by the Board.

The timeline to file an appeal with the Board is quick—40 days from ABC's decision (unless the decision is effective immediately, then an appeal must be filed 10 days following ABC's decision). Licensees choosing to file an appeal may represent themselves or be represented by an attorney.

The Board provides all Californians who appeal with an efficient, timely, and approachable appeals process with fair and transparent legal review. The Board's decisions have broad impacts on business owners, public safety, and across California.

For more information on filing an appeal, guides, forms, videos, and informational materials translated into several languages, please see the Board's [website](#).

Disclaimer: Information contained in this article is not legal advice and should not be relied upon as legal advice. Before making any personal or business decisions, please consult with a private attorney.

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