

Hey, **Sweetie.** Want to buy me a drink?

Picture this scenario: A man walks into his neighborhood bar after a long day at work. He is approached by an attractive female who introduces herself. After a little casual conversation she asks, "Hey, do you want to buy me a drink?"

He responds, "Sure, why not?"

She signals to the bartender who sends over a couple of drinks for the two new friends. The bartender charges the gentleman's credit card. The gentleman,

patrons. Anyone who violates these provisions will be guilty of a misdemeanor.

The Department of Alcoholic Beverage Control (ABC) will revoke a liquor license if the licensee has employed or permitted any person to solicit or encourage others to buy drinks in the licensed premises under any commission, percentage, salary, or other profit-sharing plan, scheme or conspiracy.

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meanwhile, is oblivious to the fact that the friendly female works with the bartender to encourage alcohol sales in an illegal scheme whereby the bartender overcharges the unknowing customer for drinks and shares the profits with his female cohort.

In California, it is illegal to employ someone to encourage the sale of alcoholic beverages and it is illegal to pay someone a percentage of commission on the sale of alcoholic beverages for encouraging the sale of alcohol. It is also unlawful to employ or knowingly permit someone to loiter in the premises in order to solicit the purchase of alcoholic beverages from other

the profit-sharing agreement in order for ABC to revoke liquor license. ABC can revoke a liquor license if only the bartender knows that a person was loitering about the licensed premises with the purpose of begging or soliciting drinks. Licensees should closely monitor their bar sheets and video surveillance for unusual activity, since their license is at jeopardy even if they are not personally aware of the illegal solicitations. Also, bartenders, waitresses and anyone who solicits or encourages the sale of drinks should be aware that they may be found guilty of a misdemeanor for encouraging the sale of alcohol in a profit-sharing scheme.

ABC, TAX, AUDITS & BUSINESS MATTERS



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