

## Last call at 4? California could extend bar hours in LA, San Francisco and other cities

Marco della Cava and Jared Weber, USA TODAY Published 6:56 p.m. ET June 20, 2019 | Updated 6:57 p.m. ET June 20, 2019

WEST HOLLYWOOD, Calif. – The pavement outside The Abbey, a celebrated gay bar here, is barely visible. It’s 2:05 a.m., and patrons have spilled out of the establishment just after the state-ordered closing time of 2 a.m.

But far from going home, most are in search of the next party.

“Everything in L.A. is [after-parties](#),” says Daniel Murphy, 36, who works as a waiter. “Everybody just asks around ... and then we go and drink until 5 a.m.”

Nearby, Don Lyon, who works in finance, laments the prospect of going home. “I love nightlife,” he says. “I just wish more things were open at night.”

Lyon may soon get his wish if state legislators and the governor see things his way and [approve a bill](#) – proposed now for the fourth time – that seeks to give cities across California the option of letting bars shutter at 4 a.m.

Nationally, bar closing times are far from uniform but instead are [a patchwork](#) that varies state by state and often even city by city.



Patrons congregate on the sidewalk outside of The Abbey, a celebrated gay bar in West Hollywood, California, after the bar closed early on the morning of Saturday, June 15, 2019. (Photo: Vandana Ravikumar, USA TODAY)

While a good number of states urge bars to shut things down around 1 a.m., in New York you’re good for that final beer up until 4 a.m., in Alaska, it’s 5 a.m., and across Nevada the bar never closes.

But for more than a century now in California, 2 a.m. has been last call – and the fight to change that is stirring passionate debate as Senate Bill 58 heads for an Assembly vote this summer and potentially the desk of Gov. Gavin Newsom, whose business interests include the PlumpJack Group wineries and hotels, which since his election last year have been in [a blind trust](#).

The undying nature of this extended last-call effort has caused Los Angeles City Councilman Paul Koretz, who is opposed to the idea, to dub it “the [Zombie Bill](#), because we just can’t kill it.”

Those eyeing the bill carefully include state and local police departments, who may be on the hook for patrolling watering holes into the wee hours, as well as alcohol awareness groups who lament the increased access to drinks.



**California Gov. Gavin Newsom, with his wife Jennifer Siebel Newsom, have among their holdings assets from the PlumpJack Group, a collections of wineries and hotels. When Newsom became governor earlier this year, the couple put those assets in a blind trust. (Photo: Damian Dovarganesd, AP)**

The best shot at a 4 a.m. last call came last fall when a similar effort, Senate Bill 905, needed only then-Gov. Jerry Brown’s signature. But Brown vetoed the bill, noting that “we have enough mischief from midnight to two without adding two more hours of mayhem.”

## **Vibrant nightlife in Los Angeles, San Francisco**

The arguments for pushing the state’s last-call hour to 4 a.m. boil down to a mix of economic and prestige factors as proponents say cities are losing out on valuable tourism and convention dollars by closing early.

The reasons to keep the status quo focus on a mix of public health and safety concerns, including warnings about giving patrons even more access to alcohol and predictions of spikes in police and medical personnel overtime as the parties rage later into the night.

Those in favor of SB 58, also known as the Let Our Communities Adjust Late-Night Act, include its longtime sponsor, state Sen. Scott Wiener, who feels his hometown of San Francisco stands to boost its cool credentials with a less sleepy bar scene.

“One of the things that makes a city great is a vibrant nightlife,” says Wiener (D-San Francisco). “It’s an important driver of the economy and culture, and we are at a disadvantage for tourism and conventions. In the end, this is all about local control.”

Indeed, SB 58 would not make 4 a.m. the new closing time statewide. Instead, it gives city councils in 10 municipalities that have signed up for a pilot program to choose if they want to extend bar hours.

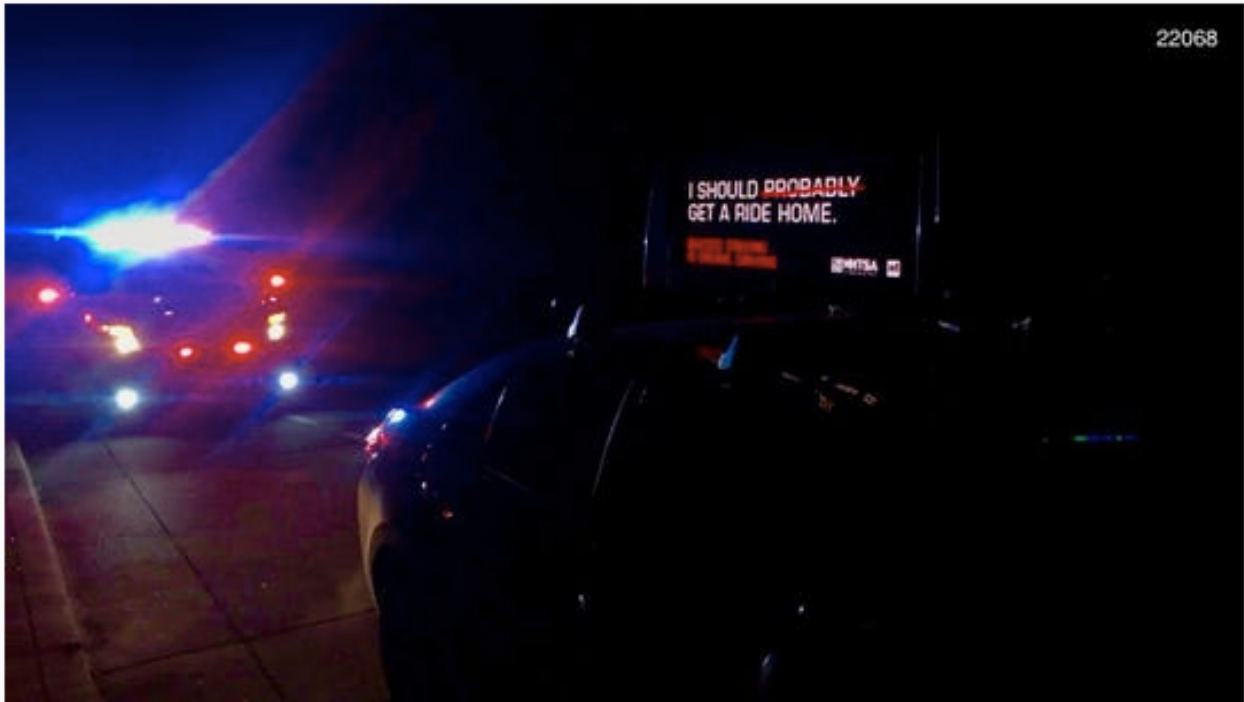


**Neal Bodenheimer, a mixologist at Cure, a craft cocktail bar he opened in 2009 in New Orleans, prepares a cocktail. (Photo: Kevin O'Mara)**

Those cities are San Francisco, Los Angeles, West Hollywood, Long Beach, Oakland, Sacramento, Palm Springs, Cathedral City, Coachella and Fresno. Bars in those areas looking to extend their hours would need to pay a \$2,500 application fee, plus \$2,500 annually.

If SB 58 becomes law with Newsom’s signature, it would go into effect on January 1, 2022, and would sunset exactly five years later if not extended by the Legislature.

While the California Highway Patrol does not comment on pending legislation, the CHP would be tasked, if SB 58 passes, to provide lawmakers with a report on the impact of 4 a.m. closing time a few years after it goes into effect.



The California Highway Patrol arrests a man on suspicion of a DUI on Feb. 24, 2019 in Berkeley, California, while he drove a car with a sign warning against drunk driving. (Photo: California Highway Patrol Oakland)

The prospect of having more inebriated drivers on the road concerns Frank Harris, director of state government affairs for M.A.D.D., or Mothers Against Drunk Driving.

His organization's opposition to the proposed law centers on the fact that because it would not be a statewide mandate, it could create pockets of late-night bars that may cause patrons leaving establishments closing at 2 a.m. to hit the road in search of another drink.

"We're not a prohibitionist organization, so we have told Sen. Wiener that if this were statewide we wouldn't oppose," Harris says. "But he has said that a statewide 4 a.m. bar closing time would not have enough support."

## Critics don't want bars to stay open later

Far more concerned is Bruce Lee Livingston, executive director of Alcohol Justice, a national alcohol watchdog group. If SB 58 passes, he predicts increased use of emergency rooms, an increase in street violence and more chances of patrons becoming alcoholics.

"We love the idea of keeping bars open after 2 a.m., but only if they lock up the booze and serve food and help people sober up," he says. "Besides, hotel and bar workers need to go home at a decent time, too."

Livingston says he's concerned Newsom's winemaking connections may sway him to sign off on the measure.

Richard Zaldivar, co-chairman of the California Alcohol Policy Alliance, a non-profit that monitors alcohol-related practices, says he spoke with the governor at the recent California Democratic Convention.

"We told him we were 'no' on a 4 a.m. closing, and said he was eager to hear there was opposition," Zaldivar says. (The governor's office did not respond to a request for comment on the bill.)

Of particular concern to Zaldivar – a gay rights activist and founder of The Wall Las Memorias Project, which focuses on wellness issues for Latino community members with HIV/AIDS – is the bill's potential impact on gay community members.

"Look, I used to party a lot, I enjoyed it, but with the increase in HIV-AIDS, many men practice unsafe sex under the influence," he says. Referring to Wiener, who is gay, he adds, "a gay leader proposing this bill is puzzling."

Wiener finds that observation insulting. “That is so condescending to our community, as if we can’t make our own decisions,” he says. “It also ignores the fact that we found our community in clubs and bars. Our community should be supporting this.”

## Safe drinking late at night

Over at The Abbey, owner and founder David Cooley says extending drinking hours until 4 a.m. is long overdue.

“I believe times have changed, where people might be a little more open to the idea now,” Cooley says. “And I think the primary reason for that is people being more responsible with their drinking and driving.”

Cooley credits Uber and Lyft with positively influencing the way his friends and customers approach commuting to and from bars and nightclubs.

Last year, [The Abbey saw more Lyft rides](#) than any other bar in L.A., thanks in part to the city setting up marked pick-up and drop-off zones near his establishment.

If SB 58 passes, Cooley says he would have to make adjustments to his staffing schedule, but adds that the additional two hours of business would certainly increase revenue for the bar. The same goes for neighboring eateries that choose to extend their hours.

The current rush hour for L.A. Buns & Co., a combination Mexican and American food joint in West Hollywood, is 12:30 a.m. to 2 a.m., says night manager Jose Ortega.

“Sometimes, since people are drinking, they leave the club and want food at 2 a.m.,” he says. “But we can’t serve them because we close at 2 a.m.”



Jose Ortega, night manager of L.A. Buns & Co. in West Hollywood, California, cleans up the combination Mexican and American food joint’s kitchen early Saturday, June 15, 2019. The business’s owner, Claudio Ortega, said he would consider applying for an extended hours license with the city of West Hollywood if the city’s bar hours are extended until 4 a.m. (Photo: Vandana Ravikumar, USA TODAY)

Currently, West Hollywood requires that all businesses seeking extended hours apply for a license to do so. It costs \$1,700 up front and \$200 a year to keep current, if accepted by the city’s business license commission.

L.A. Buns & Co. owner Claudio Garcia may make the investment if SB 58 becomes law.

“I think it would be worth it for me to pay that extra money,” he says.

But not everyone is unreservedly in favor of partying later, even those who brighten at the prospect of doing so.

Kendall Khonsari, 23, spent a recent evening partying with friends at Busby’s West, a Santa Monica sports bar. She says staying out later could be fun but is concerned that residents near bars might not see things the same way.

“It’s still a neighborhood,” Khonsari says of Santa Monica. “It’s cool when you’re my age, but I feel like when I’m 40, I’m not going to be out until 4 a.m.”

SB 58 could well make Robert Swartz’s job a giant headache. He’s the head bouncer at Busby’s West, charged with making sure that on Friday and Saturday nights all is civil, from 9 p.m. until “everyone is off the streets.”

**Some never get the message:** [How's this for irony? Man arrested for DUI while driving a car with DUI warning sign](#)

If the last call bill passes, he says he’s not likely to get to bed until 8 a.m.

Ultimately, Swartz’s sentiments about the proposed nightlife changes encapsulate the ongoing debate over the merits of later bar hours.

“In my position, it’s going to be negative, because if people come out at the same time, they’re just going to get drunker and they’ll just be drunken morons” by 4 a.m., he says. “But from a profit and bartender perspective, that’s also two more hours of tips they can get.”

*Della Cava reported from San Francisco, Weber from Santa Monica and West Hollywood; follow them: @marcodellacava and @jared\_webby*