

AMENDED IN SENATE JUNE 14, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2878**

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**Introduced by Assembly Member Aghazarian**

February 20, 2004

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An act to amend Section ~~25514~~ 25510 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2878, as amended, Aghazarian. ~~Alcoholic beverage licensees; fixtures and supplies; beverages; beer tapping equipment.~~

*Existing law permits a manufacturer to furnish to a licensed wholesaler, and a licensed wholesaler or manufacturer to furnish to an on-sale licensee, only specified items of alcoholic beverage tapping equipment.*

*This bill would include filters among those items. Because a violation of this provision would be a misdemeanor, this bill would impose a state-mandated local program by changing the definition of a crime.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~Existing law permits a beer manufacturer or beer wholesaler to furnish, give, rent, lend, or sell, any equipment, fixtures, or supplies, other than alcoholic beverages, to a retailer whose equipment, fixtures, or supplies were lost or damaged as a result of a natural disaster, except~~

~~that this provision does not apply to transactions that occur 6 weeks or more after the Governor proclaims an area to be in a state of disaster.~~

~~This bill would instead make this provision inapplicable to transactions that occur 3 months or more after the Governor proclaims an area to be in a state of disaster.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~—yes. State-mandated local program: ~~no~~—yes.

*The people of the State of California do enact as follows:*

1 ~~SECTION 1. Section 25511 of the Business and Professions~~  
2 *SECTION 1. Section 25510 of the Business and Professions*  
3 *Code is amended to read:*

4 25510. Notwithstanding any other provision of this chapter,  
5 a manufacturer may furnish to a licensed wholesaler, and a  
6 licensed wholesaler or manufacturer may furnish to an on-sale  
7 licensee, only the following specified items of alcoholic beverage  
8 tapping equipment: kegs, tapping heads, air lines, alcoholic  
9 beverage lines, clamps, washers, coupling devices, rods, vents,  
10 valves, ~~and~~ keg spacers, *and filters* for an initial installation in a  
11 new on-sale licensed account or for a changeover of equipment  
12 from one tapping system to another. A supplier may service, repair,  
13 and replace the above-specified items of alcoholic beverage  
14 tapping equipment as necessary. This section shall not permit a  
15 supplier to furnish or repair alcoholic beverage equipment not  
16 specified in this section to an on-sale licensee. Alcoholic beverage  
17 tapping equipment furnished by a supplier shall remain the  
18 property of the supplier.

19 SEC. 2. No reimbursement is required by this act pursuant to  
20 Section 6 of Article XIII B of the California Constitution because  
21 the only costs that may be incurred by a local agency or school  
22 district will be incurred because this act creates a new crime or  
23 infraction, eliminates a crime or infraction, or changes the penalty  
24 for a crime or infraction, within the meaning of Section 17556 of  
25 the Government Code, or changes the definition of a crime within  
26 the meaning of Section 6 of Article XIII B of the California  
27 Constitution.

28 ~~Code is amended to read:~~

29 ~~25511. Notwithstanding any other provision of this division,~~  
30 ~~a beer manufacturer or beer wholesaler, or any officer, director, or~~



1 ~~agent of any of those persons may furnish, give, rent, lend, or sell,~~  
2 ~~directly or indirectly, any equipment, fixtures, or supplies, other~~  
3 ~~than alcoholic beverages, to a retailer whose equipment, fixtures,~~  
4 ~~or supplies were lost or damaged as a result of a natural disaster and~~  
5 ~~whose premises are located in an area proclaimed to be in a state~~  
6 ~~of disaster by the Governor.~~

7 ~~This section does not apply to transactions that occur three~~  
8 ~~months or more after the Governor proclaims an area to be in a~~  
9 ~~state of disaster.~~

10 ~~Nothing in this section is intended to affect or otherwise limit~~  
11 ~~Section 23104.1, 23104.2, or 23104.3.~~

