

AMENDED IN ASSEMBLY MAY 19, 2008

AMENDED IN ASSEMBLY MAY 6, 2008

AMENDED IN SENATE JANUARY 7, 2008

**SENATE BILL**

**No. 607**

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**Introduced by Senator Wiggins**

**(Principal coauthor: Senator Maldonado)**

*(Principal coauthor: Assembly Member De Leon)*

**(Coauthors: Senators Denham and Migden)**

*(Coauthors: Assembly Members Aghazarian, Berryhill, DeSaulnier,  
Evans, Huffman, and Wolk)*

February 22, 2007

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An act to amend Sections 23013 and 23356.2 of the Business and Professions Code, relating to alcoholic beverages, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 607, as amended, Wiggins. Winegrowers.

Existing law defines a winegrower as any person who has the facilities and equipment for the conversion of fruit into wine and is engaged in the production of wine, except for those persons who produce less than 200 gallons of wine per year for their personal consumption.

This bill would expand the definition of a winegrower by removing that exception.

Existing law authorizes a person to manufacture beer for personal or family use without the need for a license or permit. Existing law authorizes the removal of beer, manufactured for personal or family use, from the premises where manufactured for use in competition at

organized affairs, exhibitions, or competitions, including homemakers' contests, tastings, or judgments.

This bill would additionally authorize a person to manufacture wine for personal or family use in an amount not to exceed 100 or 200 gallons per household per calendar year without the need for a license or permit, as provided. This bill would also authorize the removal of wine, manufactured for personal or family use, from the premises where manufactured for use in competition at organized affairs, exhibitions or competitions, including homemakers' contests, tastings, or judgments.

*This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. Section 23013 of the Business and Professions  
2 Code is amended to read:

3 23013. "Winegrower" means any person who has facilities and  
4 equipment for the conversion of grapes, berries, or other fruit into  
5 wine and is engaged in the production of wine.

6 SEC. 2. Section 23356.2 of the Business and Professions Code  
7 is amended to read:

8 23356.2. (a) No license or permit shall be required for the  
9 manufacture of beer for personal or family use, and not for sale,  
10 by a person over the age of 21 years. The aggregate amount of  
11 beer with respect to any household shall not exceed (1) 200 gallons  
12 per calendar year if there are two or more adults in the household,  
13 or (2) 100 gallons per calendar year if there is only one adult in  
14 the household.

15 (b) No license or permit shall be required for the manufacture  
16 of wine for personal or family use, and not for sale, by a person  
17 over the age of 21 years. The aggregate amount of wine with  
18 respect to any household shall not exceed (1) 200 gallons per  
19 calendar year if there are two or more adults in the household or  
20 (2) 100 gallons per calendar year if there is only one adult in the  
21 household.

22 (c) Any wine or beer manufactured pursuant to this section may  
23 be removed from the premises where manufactured for use in

1 competition at organized affairs, exhibitions or competitions,  
2 including homemakers' contests, tastings, or judgings.

3 (d) Except as provided herein, nothing in this section authorizes  
4 any activity in violation of Section 23300, 23355, or 23399.1.

5 *SEC. 3. This act is an urgency statute necessary for the*  
6 *immediate preservation of the public peace, health, or safety within*  
7 *the meaning of Article IV of the Constitution and shall go into*  
8 *immediate effect. The facts constituting the necessity are:*

9 *In order to ensure that amateur winemakers will be able to*  
10 *participate in all 2008 county fairs and in the 2008 California*  
11 *State Fair Home Wine Competition, a competition designed to*  
12 *increase the knowledge, skills, and abilities of amateur winemakers*  
13 *and where homemade wines are judged in a formal and*  
14 *professional manner, which occurs from August 15 to September*  
15 *1, inclusive, it is necessary that this act take effect immediately.*