

Introduced by Senator Rosenthal

February 12, 1998

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

LEGISLATIVE COUNSEL'S DIGEST

SB 1621, as introduced, Rosenthal. Alcoholic beverages: beer tapping equipment.

Existing law permits a beer manufacturer to furnish to a beer wholesaler, and a beer wholesaler or manufacturer to furnish to a retailer, items of equipment as are permitted by Department of Alcoholic Beverage Control regulation.

This bill would instead permit a beer manufacturer to furnish to a beer wholesaler, and a beer wholesaler or manufacturer to furnish to an on-sale licensee, only specified items of beer tapping equipment. A violation of this provision would be a misdemeanor, thus, imposing a state-mandated local program by creating a new 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.

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

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

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

3 25510. Notwithstanding any other provision of this
4 chapter, a beer manufacturer may furnish to a beer
5 wholesaler, and a beer wholesaler or manufacturer may
6 furnish to ~~a retailer~~ *an on-sale licensee, such only the*
7 *following specified items of beer tapping equipment as*
8 ~~permitted by department regulation in the case of either:~~
9 *kegs, tapping heads, air lines, beer lines, clamps, washers,*
10 *coupling devices, and keg spacers, for an initial*
11 ~~installation for~~ *in a new on-sale licensed account or for a*
12 ~~changeover of equipment from one tapping system to~~
13 ~~another. ~~Such equipment shall remain the property of~~~~
14 ~~the supplier. A supplier may service and repair the items~~
15 ~~of equipment as may be deemed necessary. A supplier~~
16 *may service and repair the above specified items of beer*
17 *tapping equipment as necessary. This section shall not*
18 *permit a supplier to furnish or repair beer tapping*
19 *equipment not specified in this section to an on-sale*
20 *licensee. Beer tapping equipment furnished by a supplier*
21 *shall remain the property of the supplier.*

22 SEC. 2. No reimbursement is required by this act
23 pursuant to Section 6 of Article XIII B of the California
24 Constitution because the only costs that may be incurred
25 by a local agency or school district will be incurred
26 because this act creates a new crime or infraction,
27 eliminates a crime or infraction, or changes the penalty
28 for a crime or infraction, within the meaning of Section
29 17556 of the Government Code, or changes the definition
30 of a crime within the meaning of Section 6 of Article
31 XIII B of the California Constitution.

32 Notwithstanding Section 17580 of the Government
33 Code, unless otherwise specified, the provisions of this act
34 shall become operative on the same date that the act
35 takes effect pursuant to the California Constitution.

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