

AMENDED IN SENATE APRIL 15, 1998

SENATE BILL

No. 1621

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 amended, 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 licensed~~ wholesaler, and a ~~beer licensed~~ wholesaler or manufacturer to furnish to an on-sale licensee, only specified items of ~~beer alcoholic beverage~~ 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 an on-sale licensee, only the following specified~~
7 ~~items of beer tapping equipment: kegs, tapping heads, air~~
8 ~~lines, beer lines, clamps, washers, coupling devices, and~~
9 ~~keg spacers, for an initial installation in a new on-sale~~
10 ~~licensed account or for a changeover of equipment from~~
11 ~~one tapping system to another. A supplier may service~~
12 ~~and repair the above specified items of beer tapping~~
13 ~~equipment as necessary. This section shall not permit a~~
14 ~~supplier to furnish or repair beer tapping equipment not~~
15 ~~specified in this section to an on-sale licensee. Beer~~
16 ~~tapping equipment furnished by a supplier shall remain~~
17 ~~the property of the supplier. Professions Code is amended~~
18 ~~to read:~~

19 25510. Notwithstanding any other provision of this
20 chapter, a ~~beer~~ manufacturer may furnish to a ~~beer~~
21 *licensed* wholesaler, and a ~~beer licensed~~ wholesaler or
22 manufacturer may furnish to a ~~retailer~~ *an on-sale*
23 *licensee, such only the following specified* items of
24 *alcoholic beverage tapping* equipment as ~~permitted by~~
25 ~~department regulation in the case of either:~~ *kegs, tapping*
26 *heads, air lines, alcoholic beverage lines, clamps, washers,*
27 *coupling devices, rods, vents, valves, and keg spacers, for*
28 *an initial installation for in a new on-sale licensed account*
29 *or for a changeover of equipment from one tapping*
30 *system to another. Such equipment shall remain the*
31 *property of the supplier. A supplier may service and,*
32 *repair, and replace the above-specified items of alcoholic*
33 *beverage tapping equipment as may be deemed*
34 *necessary. This section shall not permit a supplier to*
35 *furnish or repair alcoholic beverage equipment not*
36 *specified in this section to an on-sale licensee. Alcoholic*
37 *beverage tapping equipment furnished by a supplier*
38 *shall remain the property of the supplier.*



1 SEC. 2. No reimbursement is required by this act
2 pursuant to Section 6 of Article XIII B of the California
3 Constitution because the only costs that may be incurred
4 by a local agency or school district will be incurred
5 because this act creates a new crime or infraction,
6 eliminates a crime or infraction, or changes the penalty
7 for a crime or infraction, within the meaning of Section
8 17556 of the Government Code, or changes the definition
9 of a crime within the meaning of Section 6 of Article
10 XIII B of the California Constitution.

11 Notwithstanding Section 17580 of the Government
12 Code, unless otherwise specified, the provisions of this act
13 shall become operative on the same date that the act
14 takes effect pursuant to the California Constitution.

