

AMENDED IN ASSEMBLY APRIL 23, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1922

Introduced by Assembly Member Firebaugh

February 8, 2002

An act to add Section 23672.1 to the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 1922, as amended, Firebaugh. Alcoholic beverages: importers.

Under existing law, it is a misdemeanor for a licensed importer to purchase or accept delivery of any brand of distilled spirits unless he or she is designated as an authorized importer of that brand by the brand owner or his or her authorized agent.

This bill would impose a state-mandated local program by extending the above prohibition to wine importers. *However, this designation would not be required for wine sold as vintage wine, as specified, or wine imported by a retail off-sale licensee for sale by that licensee at a wine auction.*

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 23672.1 is added to the Business and
2 Professions Code, to read:

3 23672.1. (a) A licensed importer may not purchase or accept
4 delivery of any *imported* brand of wine unless he or she is
5 designated as an authorized importer of that brand by the brand
6 owner or his or her authorized agent.

7 (b) Subdivision (a) does not apply to either of the following:

8 (1) Wine sold pursuant to Section 23104.6.

9 (2) Wine imported by a retail off-sale licensee qualified under
10 subdivision (d) of Section 23355.1 for sale by that licensee in a
11 wine auction conducted in accordance with subdivision (d) of
12 Section 23355.1.

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

