

**Senate Bill No. 625**

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Passed the Senate May 24, 2007

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*Secretary of the Senate*

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Passed the Assembly August 30, 2007

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2007, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 22973 of the Business and Professions Code, relating to public health.

## LEGISLATIVE COUNSEL'S DIGEST

SB 625, Padilla. Cigarette and tobacco product retailers: license fees.

Existing law, the California Cigarette and Tobacco Products Licensing Act of 2003, provides for and requires the licensure by the State Board of Equalization of manufacturers, distributors, wholesalers, importers, and retailers of cigarette or tobacco products that are engaged in business in California. Existing law requires an application for licensure as a retailer of cigarettes or tobacco products to be filed on or before April 15, 2004, and to include a one-time license fee of \$100 per retail location, but does not apply this fee to an application for renewal of a license for which the one-time fee has been paid.

This bill would require payment of a \$100 reinstatement fee as a precondition for reinstatement of an expired license.

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

SECTION 1. Section 22973 of the Business and Professions Code is amended to read:

22973. (a) An application for a license shall be filed on or before April 15, 2004, on a form prescribed by the board and shall include the following:

- (1) The name, address, and telephone number of the applicant.
- (2) The business name, address, and telephone number of each retail location. For applicants who control more than one retail location, an address for receipt of correspondence or notices from the board, such as a headquarters or corporate office of the retailer, shall also be included on the application and listed on the license. Citations issued to licensees shall be forwarded to all addressees on the license.

- (3) A statement by the applicant affirming that the applicant has not been convicted of a felony and has not violated and will

not violate or cause or permit to be violated any of the provisions of this division or any rule of the board applicable to the applicant or pertaining to the manufacture, sale, or distribution of cigarettes or tobacco products. If the applicant is unable to affirm this statement, the application shall contain a statement by the applicant of the nature of any violation or the reasons that will prevent the applicant from complying with the requirements with respect to the statement.

(4) If any other licenses or permits have been issued by the board or the Department of Alcoholic Beverage Control to the applicant, the license or permit number of those licenses or permits then in effect.

(5) A statement by the applicant that the contents of the application are complete, true, and correct. Any person who signs a statement pursuant to this subdivision that asserts the truth of any material matter that he or she knows to be false is guilty of a misdemeanor punishable by imprisonment of up to one year in the county jail, or a fine of not more than one thousand dollars (\$1,000), or both the imprisonment and the fine.

(6) The signature of the applicant.

(7) Any other information the board may require.

(b) The board may investigate to determine the truthfulness and completeness of the information provided in the application. The board may issue a license without further investigation to an applicant for a retail location if the applicant holds a valid license from the Department of Alcoholic Beverage Control for that same location.

(c) The board shall provide electronic means for applicants to download and submit applications.

(d) (1) A one-time license fee of one hundred dollars (\$100) shall be submitted with each application. An applicant that owns or controls more than one retail location shall obtain a separate license for each retail location, but may submit a single application for those licenses with a one-time license fee of one hundred dollars (\$100) per location.

(2) The one-time fee required by this subdivision does not apply to an application for renewal of a license for a retail location for which the one-time license fee has already been paid. If a license is reinstated after its expiration, the retailer, as a condition

precedent to its reinstatement, shall pay a reinstatement fee of one hundred dollars (\$100).







Approved \_\_\_\_\_, 2007

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*Governor*