

ASSEMBLY BILL

No. 2203

Introduced by Assembly Member Chesbro

February 20, 2014

An act to amend Section 25202 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2203, as introduced, Chesbro. Alcoholic beverages: beer labeling.

The Alcoholic Beverage Control Act provides for specified labeling requirements for containers of alcoholic beverages sold within this state, and prohibits the obliteration, mutilation, or marking out of a manufacturer's name on returnable beer containers or cartons made of wood or fiber board, as specified. A violation of the act is a misdemeanor.

This bill would additionally prohibit the obliteration, mutilation, or marking out of a manufacturer's name on metal kegs, as specified. By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

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 25202 of the Business and Professions
2 Code is amended to read:

3 25202. (a) Manufacturers' names, brand names, print, or
4 markings first placed on returnable beer containers, *metal kegs*, or
5 cartons made of wood or fiber board shall not be obliterated,
6 mutilated, or marked out without the written consent of the
7 manufacturer whose name, brand, or printed markings is to be
8 obliterated, mutilated, or marked out. ~~This~~

9 (b) *This* section does not apply to *metal kegs or* wood or fiber
10 board containers or cartons of a beer manufacturer who has
11 discontinued business and production and is no longer a licensed
12 beer manufacturer.

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.