

**ASSEMBLY BILL**

**No. 2589**

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**Introduced by Assembly Member Bloom**

February 21, 2014

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An act to add Section 12211.5 to the Business and Professions Code, relating to weights and measures.

LEGISLATIVE COUNSEL'S DIGEST

AB 2589, as introduced, Bloom. Weights and measures: county sealers: county ordinance: annual registration fee.

Existing law governing weights and measures provides that there is in each county the office of county sealer, as defined, of weights and measures to administer those provisions, as specified. Existing law requires a county sealer to weigh and measure packages, containers, or amounts of commodities sold, or in the process of delivery, in order to determine whether they contain the quantity or amount represented and whether they are being sold in accordance with law.

In order to recover the costs of carrying out these provisions, this bill would authorize a board of supervisors of a county to charge an annual registration fee, not to exceed the county's total cost of actually weighing and measuring packages, containers, or amounts of commodities sold, or in the process of delivery, in order to determine whether they contain the quantity or amount represented and whether they are being sold in accordance with law. The bill would require any adopted registration fee to be imposed on a business location operating in the county that packs, imports, warehouses, or distributes more than 10,000 packages or containers per year that intends to sell or distribute for sale those packages or containers. The bill would require an ordinance imposing a registration fee to exempt any person or entity operating a business

location at which both retail sales and commodity packing operations are conducted if the retail sales activities constitute the significant majority of its business operations.

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

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

1 SECTION 1. Section 12211.5 is added to the Business and  
2 Professions Code, to read:

3 12211.5. (a) In order to recover the costs of carrying out  
4 Section 12211, the county board of supervisors, by ordinance, may  
5 charge an annual registration fee, not to exceed the county’s total  
6 cost of actually weighing and measuring packages, containers, or  
7 amounts of commodities sold, or in the process of delivery, in  
8 order to determine whether they contain the quantity or amount  
9 represented and whether they are being sold in accordance with  
10 law.

11 (b) Any registration fee adopted pursuant to subdivision (a)  
12 shall be charged to a business location operating in the county that  
13 packs, imports, warehouses, or distributes more than 10,000  
14 packages or containers per year that intends to sell or distribute  
15 for sale those packages or containers.

16 (c) For purposes of this section, “business location” is defined  
17 as a business location that packs, imports, warehouses, or  
18 distributes one or more types of packaged goods or commodities.

19 (d) Any ordinance imposing a registration fee pursuant to  
20 subdivision (a) shall exempt any person or entity operating a  
21 business location at which both retail sales and commodity packing  
22 operations are conducted if the retail sales activities constitute the  
23 significant majority of its business operations.