

**Introduced by Senator Evans**February 18, 2014

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An act to amend Section 25237 of the Business and Professions Code, relating to alcoholic beverages.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1040, as introduced, Evans. Alcoholic beverages: wine labeling. The Alcoholic Beverage Control Act makes it unlawful to make any representation that a wine is produced entirely from grapes grown in specified counties unless the representation is true. The act specifies that those provisions apply to representations made on labels, advertising matter, letterheads, invoices, tags, signs, business cards, and all other representations of any kind whether oral, written, or printed. A violation of the act is a misdemeanor.

This bill would additionally provide that these provisions apply to representations made on bottles and to representations made in an electronic form. 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 25237 of the Business and Professions  
2 Code is amended to read:  
3 25237. It is unlawful to make any representation that a wine  
4 is produced entirely from grapes grown in the counties mentioned  
5 in Section 25236 unless the representation is true. This section  
6 ~~applies~~ *shall apply* to representations made on labels, *bottles*,  
7 advertising matter, letterheads, invoices, tags, signs, business cards,  
8 and all other representations of any kind ~~whether~~ *that are* oral,  
9 written, *electronic*, or printed.  
10 SEC. 2. No reimbursement is required by this act pursuant to  
11 Section 6 of Article XIII B of the California Constitution because  
12 the only costs that may be incurred by a local agency or school  
13 district will be incurred because this act creates a new crime or  
14 infraction, eliminates a crime or infraction, or changes the penalty  
15 for a crime or infraction, within the meaning of Section 17556 of  
16 the Government Code, or changes the definition of a crime within  
17 the meaning of Section 6 of Article XIII B of the California  
18 Constitution.

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