

ASSEMBLY BILL

No. 655

Introduced by Assembly Member Quirk

February 24, 2015

An act to amend Section 19315 of the Food and Agricultural Code, relating to inedible kitchen grease, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 655, as introduced, Quirk. Inedible kitchen grease: transporters: additional fee.

Existing law requires transporters of inedible kitchen grease to be registered and to pay a specified registration fee. Existing law operative until July 1, 2020, and repealed as of January 1, 2021, authorizes the Department of Food and Agriculture to charge an additional fee not to exceed \$300 per year per vehicle that is operated to transport kitchen grease for purposes of administering the provisions regulating these transporters. Existing law exempts from 75% of the additional fee a registered transporter who transports inedible kitchen grease for his or her own personal, noncommercial use as an alternative fuel, subject to specified requirements. Existing law requires fees collected pursuant to these provisions to be deposited into the Department of Food and Agriculture Fund and continuously appropriates the collected funds for the purposes described above.

This bill increase the additional fee to not to exceed \$350 per year per vehicle that is operated to transport kitchen grease. By increasing this additional fee, which fee is required to be collected and deposited into a continuously appropriated fund, the bill would make an appropriation. The bill would also make related findings and declarations.

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

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

1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:

3 (a) The rendering industry is a critical health and safety
4 infrastructure for California. Rendering is an effective tool to
5 eliminate many human and animal disease pathogens, protects our
6 groundwater and air resources, and greatly reduces greenhouse
7 gas emissions compared to other alternative disposal options.

8 (b) Rendering is the process of recycling waste animal tissue
9 into stable, value-added materials. Each year rendering recycles
10 approximately 59 billion pounds of perishable material generated
11 by the livestock and poultry meat and poultry processing, food
12 processing, supermarket, and restaurant industries. The rendering
13 industry turns this material into valuable ingredients such as
14 biofuels, various soaps, paints and varnishes, cosmetics, explosives,
15 toothpaste, pharmaceuticals, leather, textiles, and lubricants used
16 daily in most households.

17 SEC. 2. Section 19315 of the Food and Agricultural Code is
18 amended to read:

19 19315. (a) Except as provided in subdivision (b), in addition
20 to the registration fee required by Section 19312, the department
21 may charge a fee necessary to cover the costs of administering this
22 article. Any additional fee charged pursuant to this section shall
23 not exceed three hundred *fifty* dollars ~~(\$300)~~ (\$350) per year per
24 vehicle that is operated to transport kitchen grease, and shall not
25 exceed three thousand dollars (\$3,000) per year per registered
26 transporter.

27 (b) An individual registered pursuant to this article who
28 transports inedible kitchen grease for his or her own personal,
29 noncommercial use as an alternative fuel is exempt from 75 percent
30 of the fee charged pursuant to subdivision (a), and shall meet all
31 of the following requirements:

32 (1) The individual shall meet all other requirements of this
33 article.

34 (2) The individual shall not transport more than 55 gallons of
35 inedible kitchen grease per load for that purpose, and shall have

1 no more than 165 gallons of inedible kitchen grease in his or her
2 possession or control at any time.

3 (3) The individual shall not take any inedible kitchen grease
4 from a container owned by another registered transporter of
5 inedible kitchen grease or from an inedible kitchen grease provider
6 under contract with a registered transporter of inedible kitchen
7 grease or from a container owned by a renderer or collection center.

8 (4) The individual shall have a document in his or her possession
9 while transporting inedible kitchen grease signed by the responsible
10 party providing the inedible kitchen grease to the individual at the
11 source of the inedible kitchen grease that provides permission for
12 the inedible kitchen grease to be removed from that site.

13 (5) The individual shall specify where the inedible kitchen
14 grease is stored and processed as an alternative fuel, if that address
15 is different from the address included on the registration form for
16 that individual pursuant to Section 19312.

17 (6) The individual shall not sell, barter, or trade any inedible
18 kitchen grease.

19 (c) The secretary shall fix the annual fee established pursuant
20 to this section and may fix different fees for transporters of inedible
21 kitchen grease and collection centers, and for transporters of
22 interceptor grease. The secretary shall also fix the date the fee is
23 due and the method of collecting the fee. If an additional fee is
24 imposed on licensed renderers pursuant to subdivision (a) of
25 Section 19227 and an additional fee is imposed on registered
26 transporters pursuant to subdivision (a), only one additional fee
27 may be imposed on a person or firm that is both licensed as a
28 renderer pursuant to Article 6 (commencing with Section 19300)
29 and registered as a transporter of inedible kitchen grease pursuant
30 to this article, which fee shall be the higher of the two fees.

31 (d) If the fee established pursuant to this section is not paid
32 within one calendar month of the date it is due, a penalty shall be
33 imposed in the amount of 10 percent per annum on the amount of
34 the unpaid fee.

35 (e) *For purposes of this section, "interceptor grease" means*
36 *inedible kitchen grease that is principally derived from food*
37 *preparation, processing, or waste, and that is removed from a*
38 *grease trap or grease interceptor.*

39 (e)

1 (f) This section shall become inoperative on July 1, 2020, and,
2 as of January 1, 2021, is repealed, unless a later enacted statute,
3 which becomes effective on or before January 1, 2021, deletes or
4 extends the dates on which it becomes inoperative and is repealed.

5 (f) ~~For the purposes of this section, "interceptor grease" means~~
6 ~~inedible kitchen grease that is principally derived from food~~
7 ~~preparation, processing, or waste, and that is removed from a grease~~
8 ~~trap or grease interceptor.~~