

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2827

Introduced by Assembly Member Levine

February 19, 2016

An act to ~~amend Section 2100 of the Elections Code, relating to elections.~~ *add Section 17533.75 to the Business and Professions Code, relating to advertising.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2827, as amended, Levine. ~~Vote registration.~~ *Advertising: Made in U.S.A. label: violations: cure.*

Existing law prohibits the sale or offering of sale in the state of any merchandise on which merchandise or on its container appears the words "Made in U.S.A.," "Made in America," "U.S.A.," or similar words when the merchandise or any article, unit, or part thereof, has been entirely or substantially made, manufactured, or produced outside of the United States.

Existing law establishes the Made in California Program within the Governor's Office of Business and Economic Development as a public and private collaboration to encourage consumer product awareness and to foster purchases of high-quality products made in this state. Under the program, in order to be eligible to represent that a product is made in this state, a company is required to, among other things, establish that the finished product could lawfully use the "Made in U.S.A." label under the provisions set forth above.

Existing law, the Consumers Legal Remedies Act, makes unlawful certain acts identified as unfair methods of competition and unfair or deceptive acts or practices undertaken by any person in a transaction

intended to result or which results in the sale or lease of goods to any consumer.

This bill would prohibit a civil action against a person or business that is alleged to have violated the provisions of the “Made in U.S.A.” or “Made in California” statutes unless written notice of the alleged violations is provided and the person or business has not cured the alleged violation within 33 days of receiving the notice.

~~Under existing law, a person may only be registered to vote as provided by state law or pursuant to a state court order.~~

~~This bill would make a technical, nonsubstantive change to that provision.~~

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 17533.75 is added to the Business and
2 Professions Code, immediately following Section 17533.7, to read:

3 17533.75. (a) Notwithstanding any law, including, but not
4 limited to, Section 17200, 17500, or 17533.7, of this code or
5 Section 12098.10 or 129098.11 of the Government Code, or the
6 Consumers Legal Remedies Act (Title 1.5 (commencing with
7 Section 1750) of Part 4 of Division 3 of the Civil Code), a person
8 or business may cure an alleged de minimus violation of Section
9 17533.7 of this code or Section 12098.10 of the Government Code,
10 within 33 days of receiving written notice of the alleged violation.
11 The action taken to cure the violation may include, but is not
12 limited to, the prospective discontinued use of the words “Made
13 in U.S.A.,” “Made in California,” or similar words and phrases
14 as set forth in subdivision (a) of Section 17533.7 of this code or
15 Section 12098.10 of the Government Code, on any merchandise,
16 article, unit, or part thereof.

17 (b) Notwithstanding any law, no civil action may be commenced
18 under this article, or the Consumers Legal Remedies Act (Title 1.5
19 (commencing with Section 1750) of Part 4 of Division 3 of the
20 Civil Code), unless the person or business is provided written
21 notice of the alleged violation and the person or business has not
22 cured the violation within 33 days of receiving the notice.

23 SECTION 1. ~~Section 2100 of the Elections Code is amended~~
24 ~~to read:~~

1 ~~2100.—A person shall not be registered except as provided in~~
2 ~~this chapter or Chapter 4.5, except upon the production and filing~~
3 ~~of a certified copy of a judgment of a superior court directing~~
4 ~~registration to be made.~~

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