

AMENDED IN SENATE MAY 31, 2016

SENATE BILL

No. 822

Introduced by Senator Roth

January 5, 2016

An act to amend ~~Sections 5913 and 5919~~ *Section 5919* of the Food and Agricultural Code, relating to agricultural pest ~~control, and making an appropriation therefor.~~ *control.*

LEGISLATIVE COUNSEL'S DIGEST

SB 822, as amended, Roth. Agricultural pest control: citrus disease ~~prevention.~~ *prevention: monthly assessment.*

Existing law creates the California Citrus Pest and Disease Prevention Committee in the Department of Food and Agriculture to, among other things, develop a statewide citrus specific pest and disease work plan. Existing law provides for a monthly assessment to be paid by producers, as defined, which are deposited in the Citrus Disease Management Account in the Department of Food and Agriculture Fund. Moneys in the Citrus Disease Management Account is available upon appropriation by the Legislature for specified activities relating to citrus disease prevention.

This bill would appropriate \$5,000,000 from the General Fund to the Citrus Disease Management Account in the Department of Food and Agriculture Fund, and would make those funds available for expenditure by the department, without regard to fiscal year, for the purpose of combating citrus disease or its vectors.

Existing law requires producers in the citrus fruit industry to pay a monthly assessment not exceeding \$0.09 per carton of citrus fruit, to be used for citrus disease management and pest control activities, which

are deposited in the Citrus Disease Management Account, except as specified.

This bill would increase the maximum amount of the monthly assessment to \$0.12 per carton of citrus fruit.

Vote: $\frac{2}{3}$ -majority. Appropriation: yes-no. Fiscal committee: yes. State-mandated local program: no.

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

1 ~~SECTION 1. Section 5913 of the Food and Agricultural Code~~
2 ~~is amended to read:~~

3 ~~5913. (a) There is hereby created the Citrus Disease~~
4 ~~Management Account in the Department of Food and Agriculture~~
5 ~~Fund.~~

6 ~~(b) The Citrus Disease Management Account shall consist of~~
7 ~~money from federal, industry, and other non-General Fund sources.~~
8 ~~Money from federal, industry, and other non-General Fund sources~~
9 ~~shall be available upon appropriation by the Legislature for the~~
10 ~~sole purpose of combating citrus specific pests, diseases, and their~~
11 ~~vectors.~~

12 ~~(c) Notwithstanding subdivision (b), the sum of five million~~
13 ~~dollars (\$5,000,000) is hereby appropriated from the General Fund~~
14 ~~to the Citrus Disease Management Account in the Department of~~
15 ~~Food and Agriculture Fund, and shall be made available for~~
16 ~~expenditure by the department, without regard to fiscal year, for~~
17 ~~the purpose of combating citrus disease or its vectors.~~

18 ~~SEC. 2.~~

19 ~~SECTION 1. Section 5919 of the Food and Agricultural Code~~
20 ~~is amended to read:~~

21 ~~5919. (a) During the first marketing season, beginning~~
22 ~~February 1, 2010, and ending September 30, 2010, the monthly~~
23 ~~assessment to be paid by producers shall be one cent (\$0.01) per~~
24 ~~carton. Thereafter, in addition to any other assessments, fees, or~~
25 ~~charges that may be required pursuant to this code, producers shall~~
26 ~~pay a monthly assessment established by the committee that shall~~
27 ~~not exceed twelve cents (\$0.12) per carton. The assessment shall~~
28 ~~be:~~

29 ~~(1) Based on the number of 40-pound carton equivalents~~
30 ~~produced.~~

1 (2) Collected from the producer by the first handler. If a
2 producer prepares the citrus fruit for market, the producer shall be
3 deemed the handler.

4 (3) Remitted to the department by the first handler, along with
5 an assessment report, at the end of each month during the marketing
6 season.

7 (4) Deposited in the Citrus Disease Management Account in
8 the Department of Food and Agriculture Fund or, upon the
9 recommendation of the committee, deposited in accordance with
10 Section 227 or Article 2.5 (commencing with Section 230) of
11 Chapter 2 of Part 1 of Division 1. The use of the funds deposited
12 in the Citrus Disease Management Account shall be limited to the
13 activities authorized by this article.

14 (b) A producer producing less than 750 40-pound carton
15 equivalents shall not be required to remit the assessment provided
16 in subdivision (a).

17 (c) The committee may recommend to the secretary an
18 assessment less than the amount specified in subdivision (a) or no
19 assessment if no disease prevention program is necessary or if
20 there is sufficient reserve to operate the program, except as
21 provided in Section 5930.