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SB-701 Fruit and vegetable wholesalers: registration fees. (2023-2024)

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Senate Bill No. 701

CHAPTER 409

An act to amend Sections 43061 and 43062 of the Food and Agricultural Code, relating to agriculture.

[Approved by Governor October 07, 2023. Filed with Secretary of State October 07, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 701, Hurtado. Fruit and vegetable wholesalers: registration fees.

Existing law authorizes the board of supervisors of a county with a population of 6,000,000 or more to require registration, and establish a schedule of annual registration fees, not to exceed \$250, to be paid by any person who acts as a wholesaler of fresh fruit and vegetables under certain required licenses and who maintains an office or salesroom or conducts that business in the county. Existing law requires that the schedule be designed to pay not more than $\frac{1}{3}$ of the costs of the county for its administration and enforcement of specified laws and regulations pertaining generally to fruit, nut, and vegetable standards.

This bill would delete this fee schedule design requirement, authorize the board of supervisors of a county to set the fee schedule up to a maximum registration fee of \$500, and authorize the board of supervisors of any county, regardless of population, to require registration and establish a schedule of annual registration fees, as described above.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 43061 of the Food and Agricultural Code is amended to read:

43061. (a) The board of supervisors of a county may require registration and establish a schedule of annual registration fees to be paid by any person who acts as a wholesaler of fresh fruit and vegetables under any license required under Chapter 7 (commencing with Section 56101) of Division 20, and who maintains an office or salesroom or conducts that business in the county.

(b) Any funds derived under this section shall be used only for the enforcement of wholesale inspections of fruits and vegetables pursuant to this division.

(c) The maximum fee that may be established pursuant to this section shall be determined at the discretion of the board of supervisors of a county and shall not exceed five hundred dollars (\$500).

SEC. 2. Section 43062 of the Food and Agricultural Code is amended to read:

43062. Section 43061 does not apply to any of the following:

(a) Any person acting as a retail merchant, as that term is described in Section 56161, or any person acting as a producer, as that term is defined in Section 56110.

(b) Any person who only handles products other than fruits and vegetables, as defined in Section 42510.

(c) Any person that is licensed only as a broker, as defined in Section 56103.