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CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 660

Introduced by Assembly Member Irwin
(Coauthor: Senator Rubio)

February 9, 2023

An act to amend ~~Sections 27644, 27644.5, 27687, and Section 82001~~ of the Food and Agricultural Code, and to amend Sections 114039 and 114057.1 of the Health and Safety Code, *and to add Section 14549.8 to the Public Resources Code*, relating to food ~~labeling~~ and beverage products.

LEGISLATIVE COUNSEL'S DIGEST

AB 660, as amended, Irwin. Food *and beverage products*: labeling: quality dates, safety dates, and sell by ~~dates~~: *dates: recycling*.

(1) Existing law requires the Department of Food and Agriculture, in consultation with the State Department of Public Health, to publish information to encourage food manufacturers, processors, and retailers responsible for the labeling of food products to voluntarily use specified uniform terms on food product labels to communicate quality dates, as defined, and safety dates, as defined. Existing law also requires the Department of Food and Agriculture to encourage food distributors and

retailers to develop alternatives to consumer-facing “sell by” dates, defined to mean a date on a label affixed to the packaging or container of food that is intended to communicate primarily to a distributor or retailer for purposes of stock rotation and that is not a quality date or a safety date. The Food and Agricultural Code provides that, unless a different penalty is expressly provided, a violation of any provision of that code is a misdemeanor.

This bill would instead require, on and after January 1, 2025, a food manufacturer, processor, or retailer responsible for the labeling of food items for human consumption that chooses, or is otherwise required by law, to display a date label to communicate a quality or safety date on a food item manufactured on or after January 1, 2025, to use one of the specified terms on the date label, as provided. ~~The bill would, on and after January 1, 2025, would~~ prohibit a person from selling or offering for sale in the state a food item for human consumption manufactured on or after January 1, 2025, that displays a quality or safety date label that is not labeled in accordance with these terms. ~~The bill would, on and after January 1, 2025, would~~ prohibit a person from selling or offering for sale in the state a food item for human consumption manufactured on or after January 1, 2025, that is labeled with the phrase “sell by,” as specified. The bill would also require the State Department of Public Health to make certain updates to its regulations involving the California Retail Food Code, as provided. The bill would specify that, unless otherwise required by law, nothing in these provisions shall be construed to require the use or display of a date label on a food item for human consumption unless the food item displays a date label, and would provide that these provisions do not prohibit a label that allows consumers to view online information about a food item for human consumption. The bill would not apply the above-mentioned provisions to infant ~~formula.~~ *formula, eggs, and pasteurized in-shell eggs.*

By creating new requirements regarding the labeling of food items, the violation of which would be a crime, the bill would impose a state-mandated local program.

~~(2) Under existing law, except as provided, it is unlawful for an egg handler to sell, offer for sale, or expose for sale certain eggs that are packed for human consumption unless each container intended for sale to the ultimate consumer is labeled with certain information, including, among other information, the words “sell by” immediately followed by the month and day in bold type, as specified.~~

~~This bill would retain that “sell by” requirement before January 1, 2025. The bill would, on and after January 1, 2025, instead require each container to be labeled with, among other information, specified terms to communicate quality dates and safety dates, as provided.~~

~~Under existing law, if on reinspection certain eggs fail to meet the specification of the grades with which they are labeled, the seller must remark or repackage the eggs to meet the specifications for their actual grades before calling for reinspection. Existing law requires repackaged eggs to be labeled with the original sell by date.~~

~~This bill would retain that labeling requirement before January 1, 2025, and, on and after January 1, 2025, would instead require specified terms to communicate quality dates and safety dates, as provided.~~

~~Existing law provides a misdemeanor penalty for an intentional violation or a 2nd or subsequent violation of these egg-related provisions. Existing law also requires agricultural commissioners of each county, their deputies, and qualified inspectors, under the supervision and control of the Secretary of Food and Agriculture, to enforce these egg-related provisions.~~

~~By revising the standards that are enforced and by expanding the scope of a crime, this bill would constitute a state-mandated local program.~~

~~(3)~~

~~(2) Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for retail food facilities for regulation by the State Department of Public Health, and requires local enforcement agencies to enforce those provisions.~~

~~Existing law, located within the California Retail Food Code, requires a food facility that packages food using a reduced-oxygen packaging method and *Clostridium botulinum* to have an approved plan, as specified, that, among other things, limits the refrigerated shelf life to no more than 30 calendar days from packaging to consumption, except the time product is maintained frozen, or the original manufacturer’s “sell by” or “use by” date, whichever occurs first.~~

~~This bill would retain that requirement before January 1, 2025, and, on and after January 1, 2025, would limit the refrigerated shelf life to no more than 30 calendar days from packaging to consumption, except the time the product is maintained frozen, or the original safety date, as specified, whichever occurs first.~~

~~Existing law, located within the California Retail Food Code, requires raw shucked shellfish to be obtained in nonreturnable packages that~~

bear a legible label that identifies the name, address, and certification number of the shucker-packer or repacker of the molluscan shellfish, and a “sell by” date or a “best if used by” date for packages with a capacity of less than ½ gallon, or the date shucked for packages with a capacity of ½ gallon or more.

This bill would retain the “sell by” date or “best if used by” date requirements before January 1, 2025, and, on and after January 1, 2025, would require specified terms to communicate quality dates and safety dates, as provided.

A violation of the California Retail Food Code is generally a misdemeanor. By revising the standards that are enforced by local health agencies and by expanding the scope of existing crime, this bill would constitute a state-mandated local program.

(3) The California Beverage Container Recycling and Litter Reduction Act, of which a violation is a crime, requires the plastic beverage containers sold by a beverage manufacturer, as specified, to contain a specified average percentage of postconsumer recycled plastic. The act imposes an administrative penalty on a beverage manufacturer that fails to include the required percentage of postconsumer recycled plastic in its plastic beverage containers. The act annually requires, on or before March 1, a manufacturer of a beverage sold in a plastic beverage container subject to the California Redemption Value to report to the Division of Recycling in the Department of Resources Recycling and Recovery the amount of virgin plastic and postconsumer recycled plastic used by the manufacturer for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year.

This bill would authorize a beverage manufacturer registered with the state to agree with another beverage manufacturer to be responsible for compliance with the above requirements, including the submission of a combined report with aggregated information in lieu of separate reports for each beverage manufacturer. The bill would provide that certification under penalty of perjury by each beverage manufacturer of the existence of the agreement is sufficient to qualify for filing a combined report. By requiring certification under penalty of perjury, this bill would expand the crime of perjury and impose a state-mandated local program.

(4) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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 27644 of the Food and Agricultural Code~~
2 ~~is amended to read:~~

3 ~~27644. (a) Except as provided in subdivision (c), it is unlawful~~
4 ~~for an egg handler, as defined in Section 27510, to sell, offer for~~
5 ~~sale, or expose for sale eggs that are packed or graded for human~~
6 ~~consumption unless at least one of the following conditions is met:~~

7 ~~(1) The consumer container is plainly, legibly, and~~
8 ~~conspicuously labeled "KEEP REFRIGERATED" or with words~~
9 ~~of similar meaning. Consumer container labeling that complies~~
10 ~~with the safe-handling instructions required by Section 101.17 of~~
11 ~~Title 21 of the Code of Federal Regulations shall be deemed to~~
12 ~~comply with this paragraph.~~

13 ~~(2) A conspicuous sign is posted at the point of sale for eggs on~~
14 ~~bulk display advising consumers that the eggs are to be refrigerated~~
15 ~~as soon as practical after purchase.~~

16 ~~(b) Except as provided in subdivision (c), it is unlawful for an~~
17 ~~egg handler to sell, offer for sale, or expose for sale in the state~~
18 ~~eggs that are packed for human consumption unless each container~~
19 ~~intended for sale to the ultimate consumer is labeled on one outside~~
20 ~~top, side, or end with all of the following:~~

21 ~~(1) (A) Before January 1, 2025, the words "Sell-by"~~
22 ~~immediately followed by the month and day in bold type, for~~
23 ~~example "June 30" or "6-30." Common abbreviations of months~~
24 ~~shall be permitted.~~

25 ~~(B) The sell-by date shall not exceed 30 days from the date on~~
26 ~~which the eggs were packed, excluding the date of packing.~~

27 ~~(C) If the eggs are repacked but not regraded, the original sell-by~~
28 ~~date shall apply.~~

1 ~~(2) On and after January 1, 2025, a label consistent with~~
2 ~~subdivision (a) of Section 82001.~~

3 ~~(3) A Julian pack date. As used in this paragraph, the Julian~~
4 ~~pack date is the consecutive day of the year on which the eggs~~
5 ~~were packed.~~

6 ~~(4) The identification number of the plant of origin.~~

7 ~~(e) This section does not apply to eggs that are packaged for~~
8 ~~export. Paragraphs (1) and (2) of subdivision (b) do not apply to~~
9 ~~eggs that are packaged for interstate commerce or eggs that are~~
10 ~~packaged for military sales. This section does not apply to~~
11 ~~pasteurized in-shell eggs.~~

12 ~~(d) All eggs returned from grocery stores, store warehouses,~~
13 ~~and institutions shall not be reprocessed for retail shell egg sales.~~

14 ~~(e) (1) For purposes of paragraph (4) of subdivision (b), the~~
15 ~~department, in consultation with the Shell Egg Advisory~~
16 ~~Committee, shall establish a plant identification numbering system~~
17 ~~and assign identification numbers to all egg handling facilities.~~

18 ~~(2) For purposes of complying with paragraph (4) of subdivision~~
19 ~~(b), an egg handling facility that is inspected by the United States~~
20 ~~Department of Agriculture, and to which a federal plant~~
21 ~~identification number has been assigned, may use the federal~~
22 ~~identification number, the identification number assigned by the~~
23 ~~department, or both.~~

24 ~~SEC. 2. Section 27644.5 of the Food and Agricultural Code is~~
25 ~~amended to read:~~

26 ~~27644.5. (a) It is unlawful for an egg handler, as defined in~~
27 ~~Section 27510, to sell, offer for sale, or expose for sale pasteurized~~
28 ~~in-shell eggs that are packed for human consumption unless both~~
29 ~~of the following conditions are met:~~

30 ~~(1) The consumer container is conspicuously labeled “KEEP~~
31 ~~REFRIGERATED” or with words of similar meaning. Consumer~~
32 ~~container labeling that complies with the safe handling instructions~~
33 ~~required by Section 101.17 of Title 21 of the Code of Federal~~
34 ~~Regulations shall be deemed to comply with this paragraph.~~

35 ~~(2) A conspicuous sign is posted at the point of sale for~~
36 ~~pasteurized in-shell eggs on bulk display advising consumers that~~
37 ~~the pasteurized in-shell eggs are to be refrigerated as soon as~~
38 ~~practical after purchase.~~

39 ~~(b) Except as provided in subdivision (c), it is unlawful for an~~
40 ~~egg handler to sell, offer for sale, or expose for sale in the state~~

1 pasteurized in-shell eggs that are packed for human consumption
2 unless each container intended for sale to the ultimate consumer
3 is labeled on one outside top, side, or end with all of the following:

4 (1) Before January 1, 2025, the words “Sell by” immediately
5 followed by the month and day in bold type. Common
6 abbreviations for months may be used.

7 (A) The sell-by date shall not exceed 75 days from the date on
8 which the pasteurized in-shell eggs were pasteurized, excluding
9 the date of pasteurization. Processors of in-shell eggs that subject
10 the eggs to the pasteurization process shall establish a sell-by date
11 by completion of an appropriate shelf stability study that includes
12 public health and safety criteria. The processor shall retain the
13 study on file at the processing plant and make it available to the
14 department or the State Department of Public Health upon request.

15 (B) If the pasteurized in-shell eggs are repacked, the original
16 sell-by date shall apply.

17 (2) On and after January 1, 2025, a label consistent with
18 subdivision (a) of Section 82001.

19 (3) A Julian pack date. As used in this paragraph, the Julian
20 pack date is the consecutive day of the year on which the
21 pasteurized in-shell eggs were pasteurized.

22 (4) The identification number of the plant of origin.

23 (5) A conspicuous identification of the eggs as “pasteurized.”

24 (6) All state and federal labeling requirements.

25 (e) This section does not apply to pasteurized in-shell eggs that
26 are packaged for export.

27 (d) Paragraphs (1) and (2) of subdivision (b) do not apply to
28 pasteurized in-shell eggs that are packaged for interstate commerce
29 or pasteurized in-shell eggs that are packaged for military sales if
30 exported to a state or federal agency that requires a different format
31 for the sell-by or best-if-used-by date on pasteurized in-shell eggs,
32 and the processor is using that format.

33 (e) All pasteurized in-shell eggs returned from grocery stores,
34 store warehouses, and institutions shall not be reprocessed for any
35 retail in-shell egg sales.

36 (f) (1) The department, in consultation with the Shell Egg
37 Advisory Committee, established pursuant Section 27571, shall
38 establish a plant identification numbering system and assign
39 identification numbers to all pasteurized in-shell egg handling
40 facilities.

1 ~~(2) For purposes of complying with paragraph (4) of subdivision~~
 2 ~~(b), a pasteurized in-shell egg handling facility that is inspected~~
 3 ~~by the United States Department of Agriculture or the federal Food~~
 4 ~~and Drug Administration, and to which a federal plant identification~~
 5 ~~number has been assigned, may use the federal identification~~
 6 ~~number, the identification number assigned by the department, or~~
 7 ~~both.~~

8 ~~SEC. 3. Section 27687 of the Food and Agricultural Code is~~
 9 ~~amended to read:~~

10 ~~27687. (a) If the department determines that eggs are not in~~
 11 ~~compliance with this chapter or that they have been shipped without~~
 12 ~~the handler or producer first securing the required registration and~~
 13 ~~being current on the payment of the appropriate fees, the~~
 14 ~~department shall issue and enforce an order to stop the sale of the~~
 15 ~~eggs.~~

16 ~~(b) A person may not sell eggs on which a stop-sale order has~~
 17 ~~been issued until the department determines that the eggs and the~~
 18 ~~handler or producer are in compliance with this chapter. Eggs that~~
 19 ~~are in compliance with this chapter, but for which the handler or~~
 20 ~~producer have not secured the required registration and paid the~~
 21 ~~appropriate fees, may only be sold or moved under the specific~~
 22 ~~direction of the secretary.~~

23 ~~(c) With respect to eggs that are not in compliance with this~~
 24 ~~chapter and on which a stop-sale order has been issued, the seller~~
 25 ~~may submit the eggs for reinspection to an authorized state or~~
 26 ~~county enforcement officer. If on reinspection the eggs fail to meet~~
 27 ~~the specification of the grades with which they are labeled, the~~
 28 ~~seller shall remark or repackage the eggs to meet the specifications~~
 29 ~~for their actual grades before calling for reinspection. Repackaged~~
 30 ~~eggs shall, before January 1, 2025, be labeled with the original~~
 31 ~~sell by date, and, on and after January 1, 2025, shall be labeled~~
 32 ~~consistent with subdivision (a) of Section 82001.~~

33 ~~SEC. 4.~~

34 ~~SECTION 1. Section 82001 of the Food and Agricultural Code~~
 35 ~~is amended to read:~~

36 ~~82001. (a) On and after January 1, 2025, a food manufacturer,~~
 37 ~~processor, or retailer responsible for the labeling of food items for~~
 38 ~~human consumption that chooses, or is otherwise required by law,~~
 39 ~~to display a date label to communicate a quality or safety date on~~

1 a food item manufactured on or after January 1, 2025, shall use
2 one of the following uniform terms on the date label:

3 (1) “BEST if Used by” or “BEST if Used or Frozen by” to
4 indicate the quality date of the food item.

5 (2) “USE by” or “USE by or Freeze by” to indicate the safety
6 date of the food item.

7 (3) “BB” to indicate the quality date of the food item if the food
8 item is too small to include the uniform term described in paragraph
9 (1).

10 (4) “UB” to indicate the safety date of the food item if the food
11 item is too small to include the uniform term described in paragraph
12 (2).

13 (b) (1) ~~On and after January 1, 2025, no~~ *No* person shall sell
14 or offer for sale in the state a food item for human consumption
15 manufactured on or after January 1, 2025, that displays a quality
16 or safety date label that is not labeled in accordance with
17 subdivision (a).

18 (2) ~~On and after January 1, 2025, no~~ *No* person shall sell or
19 offer for sale in the state a food item for human consumption
20 manufactured on or after January 1, 2025, that is labeled with the
21 phrase “sell by.” This paragraph does not prohibit the use of “sell
22 by” dates that are presented in a coded format that are not easily
23 readable by consumers and that do not use the phrase “sell by.”

24 (c) (1) The department may accept nonstate funds from public
25 and private sources to educate consumers about the meaning of
26 the quality dates and safety dates specified in this section.

27 (2) Funds accepted by the department pursuant to paragraph (1)
28 shall be deposited in the Consumer Education Account, which is
29 hereby created in the Department of Food and Agriculture Fund.

30 (3) Notwithstanding Section 13340 of the Government Code,
31 all funds in the Consumer Education Account are hereby
32 continuously appropriated to the department without regard to
33 fiscal years to carry out the purpose provided in paragraph (1).

34 (d) The State Department of Public Health shall update its
35 regulations involving the California Retail Food Code (Part 7
36 commencing with Section 113700) of Division 104 of the Health
37 and Safety Code) consistent with this section.

38 (e) (1) This section does not prohibit, and shall not be construed
39 to discourage, the sale, donation, or use of food after the food’s
40 quality date pursuant to paragraph (1) of subdivision (a) has passed.

1 A retail food facility may donate a food item for human
2 consumption that is not labeled in accordance with this section.

3 (2) Unless otherwise required by law, nothing in this section
4 shall be construed to require the use or display of a date label on
5 a food item for human consumption unless the food item displays
6 a date label.

7 (3) This section does not prohibit a label that allows consumers
8 to view online information about a food item for human
9 consumption.

10 (f) This section does not apply to ~~infant formula~~. *either of the*
11 *following:*

12 (1) *Infant formula.*

13 (2) *Eggs or pasteurized in-shell eggs.*

14 (g) *If and to the extent that any provision of this section is*
15 *preempted by federal law, the provision does not apply and shall*
16 *not be enforced.*

17 ~~SEC. 5.~~

18 SEC. 2. Section 114039 of the Health and Safety Code is
19 amended to read:

20 114039. (a) Raw shucked shellfish shall be obtained in
21 nonreturnable packages that bear a legible label that identifies the
22 name, address, and certification number of the shucker-packer or
23 repacker of the molluscan shellfish. Before January 1, 2025, the
24 package shall contain a “sell by” date or a “best if used by” date
25 for packages with a capacity of less than one-half gallon, or the
26 date shucked for packages with a capacity of one-half gallon or
27 more. On and after January 1, 2025, the package shall be labeled
28 consistent with subdivision (a) of Section 82001 of the Food and
29 Agricultural Code.

30 (b) A package of raw shucked shellfish that does not bear a label
31 or that bears a label that does not contain all the information
32 required by subdivision (a) shall be subject to impound pursuant
33 to Section 114393.

34 ~~SEC. 6.~~

35 SEC. 3. Section 114057.1 of the Health and Safety Code is
36 amended to read:

37 114057.1. (a) A food facility that packages food using a
38 reduced-oxygen packaging method and *Clostridium botulinum* is
39 identified as a microbiological hazard in the final prepackaged

1 form shall ensure that there are at least two barriers in place to
2 control the growth and toxin formation of *Clostridium botulinum*.

3 (b) A food facility that packages food using a reduced-oxygen
4 packaging method and *Clostridium botulinum* is identified as a
5 microbiological hazard in the final prepackaged form shall have
6 an approved HACCP plan that does all of the following:

7 (1) Contains the information specified under Section 114419.1.

8 (2) Identifies the food to be prepackaged.

9 (3) Limits the food prepackaged to a food that does not support
10 the growth of *Clostridium botulinum* because it complies with one
11 of the following:

12 (A) Has an a_w of 0.91 or less.

13 (B) Has a pH of 4.6 or less.

14 (C) Is a meat or poultry product cured at a food processing plant
15 regulated by the United States Department of Agriculture and is
16 received in an intact package.

17 (D) Is a food with a high level of competing organisms, such
18 as raw meat or raw poultry.

19 (4) Specifies methods for maintaining food at 41 degrees
20 Fahrenheit or below.

21 (5) Describes how the packages shall be prominently and
22 conspicuously labeled on the principal display panel in bold type
23 on a contrasting background, with instructions to maintain the food
24 at 41°F or below and discard the food if within 30 calendar days
25 of its packaging it is not served for on-premises consumption, or
26 consumed if served or sold for off-premises consumption.

27 (6) (A) Before January 1, 2025, limits the refrigerated shelf life
28 to no more than 30 calendar days from packaging to consumption,
29 except the time product is maintained frozen, or the original
30 manufacturer's "sell by" or "use by" date, whichever occurs first.

31 (B) On and after January 1, 2025, limits the refrigerated shelf
32 life to no more than 30 calendar days from packaging to
33 consumption, except the time the product is maintained frozen, or
34 the original safety date is consistent with paragraph (2) of
35 subdivision (a) of Section 82001 of the Food and Agricultural
36 Code, whichever occurs first.

37 (7) Includes operational procedures that prohibit contacting
38 food with bare hands, identify a designated area and the method
39 by which physical barriers or methods of separation of raw foods
40 and ready-to-eat foods minimize cross-contamination and access

1 to the processing equipment is restricted to responsible trained
2 personnel familiar with the potential hazards of the operation, and
3 delineate cleaning and sanitization procedures for food-contact
4 surfaces.

5 (8) Describes the training program that ensures that individuals
6 responsible for the reduced-oxygen packaging operation understand
7 the concepts required for a safe operation, the equipment and
8 facilities, and the procedures specified under paragraph (7) and
9 Section 114419.1.

10 (c) Except for fish that is frozen before, during, and after
11 packaging, a food facility shall not package fish using a
12 reduced-oxygen packaging method.

13 (d) A food facility is not required to have an HACCP plan if
14 the food facility uses a reduced-oxygen packaging method to
15 package hazardous food that always complies with the following
16 standards with respect to packaging the hazardous food:

17 (1) The food is labeled with the production time and date.

18 (2) The food is held at 41 degrees Fahrenheit or lower during
19 refrigerated storage.

20 (3) The food is removed from its package in the food facility
21 within 48 hours after packaging.

22 (e) A food facility that packages potentially hazardous foods
23 using a cook-chill or sous vide process shall meet the requirements
24 of Section 3-502.12 (D) of the Food Code published by the FDA.

25 *SEC. 4. Section 14549.8 is added to the Public Resources Code,*
26 *to read:*

27 *14549.8. Notwithstanding any other law, a beverage*
28 *manufacturer registered with the state may agree with another*
29 *beverage manufacturer to be responsible for compliance with the*
30 *requirements of Section 14547 and subdivision (a) of Section*
31 *14549.3, including being responsible for (a) compliance with the*
32 *postconsumer recycled plastic content requirements under*
33 *subdivision (a) of Section 14547, (b) payment of administrative*
34 *penalties under subdivision (b) of Section 14547, and (c)*
35 *submission of a combined report with aggregated information in*
36 *lieu of separate reports for each beverage manufacturer in*
37 *compliance with subdivision (a) of Section 14549.3. Certification*
38 *under penalty of perjury by each beverage manufacturer of the*
39 *existence of the agreement shall be sufficient to qualify for filing*
40 *a combined report.*

1 ~~SEC. 7.~~

2 *SEC. 5.* No reimbursement is required by this act pursuant to
3 Section 6 of Article XIII B of the California Constitution for certain
4 costs that may be incurred by a local agency or school district
5 because, in that regard, this act creates a new crime or infraction,
6 eliminates a crime or infraction, or changes the penalty for a crime
7 or infraction, within the meaning of Section 17556 of the
8 Government Code, or changes the definition of a crime within the
9 meaning of Section 6 of Article XIII B of the California
10 Constitution.

11 However, if the Commission on State Mandates determines that
12 this act contains other costs mandated by the state, reimbursement
13 to local agencies and school districts for those costs shall be made
14 pursuant to Part 7 (commencing with Section 17500) of Division
15 4 of Title 2 of the Government Code.

O