
CONSENT

Bill No: AB 2085
Author: Alanis (R)
Amended: 3/16/26 in Assembly
Vote: 21

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 6-0, 6/1/26
AYES: Wahab, Choi, Archuleta, Arreguín, Niello, Umberg
NO VOTE RECORDED: Caballero, Grayson, Menjivar, Smallwood-Cuevas,
Strickland

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 73-0, 5/4/26 (Consent) - See last page for vote

SUBJECT: Weighing and measuring devices: indications: display

SOURCE: California Agricultural Commissioners and Sealers Association

DIGEST: This bill revises the current prohibition which precludes an individual from positioning a weighing device used in a retail sale so that its indications cannot be read by purchaser, to include a weighing and measuring device used for any commercial purpose to make the indications visible to both the customer and operator.

ANALYSIS:

Existing law:

- 1) Provides the California Department of Food and Agriculture (CDFA) with general supervision of the weights and measures laws, and weighing and measuring devices sold or used in this state. (Business and Professions Code (BPC) § 12100).
- 2) Establishes in each county, the office of the county sealer of weights and measures, who is appointed by that county board of supervisors, except in

charter counties, and the term of office is set at four years. (BPC § 12200)

- 3) Authorizes the appointed county sealer, with the consent of the board of supervisors, to appoint deputies or inspectors and employ clerks and employees, as specified. (BPC § 12200)
- 4) Requires each sealer within his or her county to inspect, try and test all weights, scales, beams, measures of any kind, instruments or mechanical devices for weighing and measuring, and tools, appliances and accessories connected with any or all such instruments or measures, sold or used by any proprietor, agent, lessee or employee for commercial purposes, as defined. (BPC § 12210(a))
- 5) Defines a “county sealer” to mean any sealer appointed by a county, and a county may in its discretion refer to its sealer as the country director of weights and measures (BPC § 12006)

This bill revises the positioning requirements for a weighing or measuring device to be used for retail purposes to include all commercial purposes, so that its indications can be read by both the customer and operator.

Background.

California Department of Food and Agriculture and the Division of Measurement Standards. The Division of Measurement Standards (DMS) under the CDFA is responsible for the implementation and enforcement of California’s *weights and measures* laws. California’s regulation of weighing and measuring devices was established in 1913. The primary function of the weights and measures laws is to ensure consumers obtain fair and accurate pricing when purchasing products based on scales or devices which weigh and measure consumer products.

Through the regulation of weights and measures laws in California, both weighing and measuring devices (scales, meters, dispensers) are tested for accuracy and inspected to determine if they are appropriate for their intended use and provide accurate readings. When consumers purchase gasoline from a gas pump, or vegetables by weight at the supermarket, the regulation of those weighing devices used in commerce is to ensure that the price paid is correct for the amount of the product purchased. A weighing or measurement device that is not operating correctly can result in overpayment by consumers, or consumers receiving less quantity for which they paid. Other common devices under the jurisdiction of the weights and measure laws include, gasoline dispensers, propane/butane meters,

electric meters, taxi meters, odometers on ambulances, farm milk tanks, pharmacy scales, and deli counter scales (to name a few). In addition, scales that measure scrap metal or recyclable cans and bottles rely on the use of scales of which the accuracy and integrity of the measuring and weighing equipment is paramount for consumer protection.

County Sealers. Enforcement of the weights and measure standards in California, are delegated to a county sealer of weights and measures. Historically, it has been the primary objective of weights and measures officials to ensure that "equity prevails" in the marketplace. To achieve that objective, each county under the general direction and oversight of the Secretary of CDFR enforces the laws and regulations of the BPC and the California Code of Regulations related to the standards for weights and measures. These enforcement programs protect and promote the local economy and commerce of each county. County weights and measures officials inspect, and test packaged commodities, and all commercially used weighing and measuring devices.

County sealers are appointed by their respective county board of supervisors and are responsible for ensuring that all commercial scaling and volumetric measuring devices are accurate. County sealers regulate a significant number of weighing and measuring devices including petroleum fuel meters, utility submeters, odometers, taximeters, LPG meters, and all grocery, butchery, jewelry, postal, vehicle, luggage and shipping scales.

Current law authorizes a county board of supervisors, through an ordinance, to charge an annual registration fee to recover the costs associated with inspecting or testing the weighing or measuring devices. Fees are specified in statute and may not be higher than the actual cost to inspect or test. To assist consumers in retail transactions only that rely on a weighing or measuring device, current law requires that customers to be able to view the display scale to ensure they know the amount of what they are paying for. However, this requirement does not apply to transactions where customers "sell" to someone, such as a scrap dealer or recycler. This bill aims to ensure that all transactions, not just retail sales, allow a consumer to see the display of the scale, including in scrap and other recycling product scales.

FISCAL EFFECT: Appropriation: No Fiscal Com.:Yes Local:Yes

SUPPORT: (Verified 6/15/26)

California Agricultural Commissioners and Sealers Association (source)

Office of the District Attorney of Orange County
Solano County Board of Supervisors

OPPOSITION: (Verified 6/15/26)

None received

ARGUMENTS IN SUPPORT: The California Agricultural Commissioners and Sealers Association writes in support and notes, “Current law does not fully address situations where the customer is the seller, particularly in industries such as recycling. County Sealers have observed through routine inspections and undercover operations that when device displays are not visible to customers, the likelihood of underpayment and fraud increases. This lack of transparency undermines consumer confidence and creates opportunities for dishonest practices.

“AB 2085 closes this gap by requiring operators to position commercial weighing and measuring devices so that results are visible to both the operator and the customer in all applicable transactions. In doing so, the bill promotes fairness, accountability, and consistency across industries. Additionally, the bill clarifies visibility requirements for point-of-sale pricing systems, further enhancing consumer protections.”

ASSEMBLY FLOOR: 73-0, 5/4/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Ward, Wicks, Zbur, Rivas

NO VOTE RECORDED: Arambula, Bennett, Caloza, Chen, Flora, Wallis, Wilson

Prepared by: Elissa Silva / B., P. & E.D. / 916-651-4104
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