



California Legislative Update

Eight new tobacco-related bills have been introduced this legislative session. Committee hearings are currently underway and will continue over the next several months as they move forward in the legislative process. The key deadlines for the 2017 legislative session are June 2 (deadline for bills to pass the full house they were introduced in) and September 15 (end of legislative session and deadline for all bills to be passed and sent to the Governor).

Eight tobacco-related bills have been introduced:

- AB 62 (Wood – D, Healdsburg) - Public housing: smoke-free policy
- AB 725 (Levine – D, San Rafael) - State beaches and parks: smoking ban
- AB 1003 (Bloom – D, Santa Monica) - Risk reduction: tobacco use prevention
- AB 1205 (Ridley-Thomas – D, Los Angeles) – Taxation
- SB 254 (Portantino – D, La Canada Flintridge) – Delivery network companies
- SB 719 (Anderson – R, Alpine) - STAKE Act: definitions
- SB 386 (Glazer – D, Orinda) - State beaches and parks: smoking ban
- SB 631 (Nielsen – R, Gerber) - Nitrous oxide: retail sales

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Bills Moving Forward in 2017

[AB 62](#) (Wood – D, Healdsburg) – Public housing: smoke-free policy

AB 62 would require all public housing agencies to implement a policy prohibiting the smoking of tobacco products, including electronic cigarettes, in all public housing living units, interior areas, and outdoor areas within 25 feet of public housing and administrative buildings, except in designated smoking areas, by July 30, 2018. This would codify the federal smokefree housing rule adopted by the US department of housing and urban development into California code, utilizing the current definition of tobacco product for California. The bill would exempt dwelling units in a mixed-finance project from these provisions. On Feb. 7th, amendments were taken to clarify that privately-owned housing is not included in the bill.

Status: AB 62 was referred to the Assembly Committee on Housing and Community Development and is awaiting a hearing date.

[AB 725](#) (Levine – D, San Rafael) - State beaches and parks: smoking ban

AB 725 would make it an infraction for a person to smoke on a state coastal beach or in a unit of the state park system or to dispose of used cigar or cigarette waste on a state coastal beach or in a unit of the state park system. This bill would require the Department of Parks and Recreation to develop and post signs at state coastal beaches and units of the state park system to provide notice of the smoking prohibition. The bill would require the smoking prohibition to be enforced only after signs have been posted. The bill would authorize the Director of Parks and Recreation to designate, by posted order, areas within units of the state park system as exempt from these provisions.

Status: AB 725 was heard in the Assembly Committee on Water, Parks, and Wildlife on March 21st and passed by a vote of 8-4. It has now been referred to the Assembly Appropriations Committee where it awaits a hearing date.

[AB 1003](#) (Bloom – D, Santa Monica) - Risk reduction: tobacco use prevention

AB 1003 would make a minor edit to language in the Health and Safety code that addresses tobacco control. This bill is a “spot bill” meaning that it was introduced containing minimal detail or non-substantive changes to existing law. This is done in order to meet the deadline to introduce legislation, and allows the author to amend the bill once language and/or policy has been decided upon.

Status: AB 1003 is waiting for referral to committee.

[AB 1205](#) (Ridley-Thomas – D, Los Angeles) - Taxation

AB 1205 would require cigarette and tobacco product distributors to have been free of delinquent report filings and returns for four years instead of three in order to defer tax stamp payments without having to provide a security deposits. It is possible that this bill is a “spot bill” meaning that it was introduced containing minimal detail or non-substantive changes to existing law. This is done in order to meet the deadline to introduce legislation, and allows the author to amend the bill once language and/or policy has been decided upon.

Status: AB 1205 was referred to the Assembly Committee on Revenue and Taxation and is awaiting a hearing date.

[SB 254](#) (Portantino – D, La Canada Flintridge) – Delivery Network Companies

SB 254 would prohibit delivery network companies from delivering alcohol or tobacco products unless they have a system verified by the Department of Alcoholic Beverage Control designed to prevent deliveries to people under 21 years old. It would also prohibit the delivery of alcohol and tobacco to college campuses.

Status: SB 254 was referred to the Senate Committee on Business, Professions and Economic Development with a hearing date of April 3rd.

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[SB 719](#) (Anderson – R, Alpine) - STAKE Act: definitions

SB 719 would make minor changes to the definition of tobacco products in the STAKE Act. This bill is a “spot bill” meaning that it was introduced containing minimal detail or non-substantive changes to existing law. This is done in order to meet the deadline to introduce legislation, and allows the author to amend the bill once language and/or policy has been decided upon.

Status: SB 719 is waiting for referral to committee.

[SB 386](#) (Glazer – D, Orinda) - State beaches and parks: smoking ban

SB 386 would make it an infraction for a person to smoke on a state coastal beach or in a unit of the state park system or to dispose of used cigar or cigarette waste on a state coastal beach or in a unit of the state park system. This bill would require the Department of Parks and Recreation to develop and post signs at state coastal beaches and units of the state park system to provide notice of the smoking prohibition. The bill would require the smoking prohibition to be enforced only after signs have been posted.

Status: SB 386 was referred to the Senate Committee on Natural Resources and Water with a hearing date of March 28th.

[SB 631](#) (Nielsen – R, Gerber) - Nitrous oxide: retail sales

SB 631 would prohibit any retailer of tobacco or tobacco-related products from selling, offering, or exposing for sale nitrous oxide.

Status: SB 631 was referred to the Senate Committee on Public Safety with a hearing date of March 28th.

The Center’s Bill Tracker (www.center4tobaccopolicy.org/bill-tracker/) can be used to track all bills throughout the 2017-2018 legislative session. The Bill Tracker contains up-to-date information with full summaries, status updates and other information about pertinent bills introduced in 2017.

The American Lung Association in California Center for Tobacco Policy & Organizing will be following bills and providing updates as the session progresses. You can find those updates [here](#).

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If you have questions about this analysis, please contact Diana Douglas (diana.douglas@lung.org).

Sources: Copies of the legislation outlined above and vote information may be obtained at www.leginfo.legislature.ca.gov/.