



Bill Introduction Deadline Passed for the 2018 Legislative Session

The California legislature's deadline to introduce new bills for this session was Friday, February 16. In total, five new tobacco-related bills were introduced. Two bills from 2017 that passed their house of origin but did not receive a floor vote in the second house are still eligible for reconsideration this year.

Over the next several months, various committees will hold hearings and vote on these bills as they move forward in the legislative process. The remaining key deadlines for the 2018 legislative session are:

June 1 Deadline for bills to pass their house of origin
August 31 End of the legislative session, deadline for all bills to be passed and sent to the Governor
September 30 Deadline for the governor to veto or sign bills into law

Tobacco-Related Bills Introduced in 2018

[AB 1097](#) (Levine – D, San Rafael) State beaches and parks, smoking ban
[AB 2308](#) (Stone – D, Scotts Valley) Cigarettes: single-use filter ban
[AB 3225](#) (Burke – D, Inglewood) California Children and Families Program
[SB 835](#) (Glazer – D, Orinda) Parks: smoking ban
[SB 836](#) (Glazer – D, Orinda) State beaches: smoking ban

2017 Tobacco-Related Bills Still Eligible to Move in 2018

[AB 62](#) (Wood – D, Healdsburg) Public housing: smoke-free policy
[SB 631](#) (Nielsen – R, Gerber) Nitrous oxide: retail sales

Legislative Update: March 2, 2018



Five Tobacco-Related Bills are Moving Through the Legislature

[AB 1097](#) (Levine – D, San Rafael) State beaches and parks, smoking ban

Assembly Bill 1097 began as a bill unrelated to tobacco during the 2017 legislative session. On January 3, 2018, it was amended to focus on tobacco. This bill would make it a crime to smoke or dispose of cigar and cigarette waste on a state coastal beach or within the state park system. Anyone who violates this law could receive a fine up to \$50. This bill would allow the Director of Parks and Recreation at any affected location to designate exempted areas where smoking would be permitted.

Status: AB 1097 was approved by the Assembly 46-24 (7 members abstaining/not voting) on January 29. It has since been referred to the Senate where it awaits a committee assignment.

[AB 2308](#) (Stone – D, Scotts Valley) Cigarettes: single-use filter ban

Assembly Bill 2308 would make it a crime to sell or give another person cigarettes with single-use filters. Selling or furnishing, including shipments received from outside the state, would be punishable with a fine of \$500 per violation. One transaction or furnishing up to 20 cigarettes can be considered a single violation.

Status: AB 2308 is waiting for referral to committee.

[AB 3225](#) (Burke – D, Inglewood) California Children and Families Program

Assembly Bill 3225 would make technical, nonsubstantive changes to provisions and references in the California Children and Families Act, also known as First 5 California. The program receives funds from current state tobacco taxes. 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 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 3225 is waiting for referral to committee.

[SB 835](#) (Glazer – D, Orinda) Parks: smoking ban

Senate Bill 835 would make it a crime to smoke or dispose of cigar and cigarette waste within a state park. Anyone who violates this law could receive a fine up to \$25. This bill would allow the Director of Parks and Recreation at any affected location to designate exempted areas where smoking would be permitted.

Status: SB 835 was referred to the Senate Committee on Natural Resources and Water on January 16 and is scheduled for a hearing on March 13.

[SB 836](#) (Glazer – D, Orinda) State beaches: smoking ban

Senate Bill 836 would make it a crime to smoke or dispose of cigar and cigarette waste on a state coastal beach. Anyone who violates this law could receive a fine up to \$25. This bill would allow the Director of Parks and Recreation at any affected location to designate exempted areas where smoking would be permitted.

Status: SB 836 was referred to the Senate Committee on Natural Resources and Water on January 16 and is scheduled for a hearing on March 13.

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Two 2017 Tobacco-Related Bills are still Eligible in 2018

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

Assembly Bill B 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. In 2017, amendments clarified that privately-owned housing is not included in the bill and that encourage a graduated enforcement framework that included tenant education and warnings.

Status: AB 62 was approved on the Assembly floor 48-21 (11 abstaining/not voting) in May of 2017 and was referred to both the Senate Transportation and Housing and the Judiciary Committees, where it awaits a committee hearing.

SB 631 (Nielsen – R, Gerber) Nitrous oxide: retail sales.

Senate Bill 631 would prohibit any retailer of tobacco or tobacco-related products from selling, offering, or exposing for sale nitrous oxide. Amendments removed a section stating that retail employees in addition to retailers would be held liable and that changed the bill so that it only applies to retailers who primarily sell tobacco products.

Status: SB 631 passed the Senate floor 39-0 (1 member abstaining/not voting) in May of 2017 and was referred to the Assembly Business and Professions Committee. SB 631 passed the Assembly Business Professions Committee 16-0 in June 2017 and was re-referred to the Assembly Judiciary Committee, but the author canceled its first hearing on July 6th.

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 this session.

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](#).

Center for Tobacco Policy & Organizing: March 2, 2018

Sources: Copies of the legislation outlined above and vote information may be obtained at www.leginfo.legislature.ca.gov/. The 2018 Legislative Master Calendar can be found at <http://assembly.ca.gov/legislativedeadlines>.