

# Legislative Update: August 21, 2018



## California Legislative Update

August is a busy month at the Capitol. Multiple deadlines all lead up to Friday, August 31<sup>st</sup>, which is the last opportunity for bills to pass each house. Any bills that fail to have a floor vote by the end of the month will not be sent to the Governor for final approval.

### Five tobacco-related bills are moving through the legislature:

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

[AB 2020](#) (Quirk – D, Hayward) Cannabis: local jurisdiction licensees: temporary event license

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

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

[SB 1408](#) (Pan – D, Sacramento) Cigarettes: seizure

### Two tobacco-related resolutions are moving through the legislature:

[ACR 254](#) (Holden – D, Pasadena) Smoke-free multiunit housing

[SCR 143](#) (Pan – D, Sacramento) Smoking: youth: motion picture industry

# Legislative Update: August 21, 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<sup>th</sup>. On June 12<sup>th</sup>, the bill was approved by the Senate Natural Resources and Water Committee 7-2. It then unanimously passed the Senate Appropriations Committee on July 2<sup>nd</sup>. AB 1097 now awaits a vote by the full Senate.

### [AB 2020](#) (Quirk – D, Hayward) Cannabis: local jurisdiction licensees: temporary event license

Assembly Bill 2020 would allow the state to issue temporary event licenses to any venue that will be selling cannabis products onsite. This would not supersede any local ordinances, such as zoning, land use, or business license requirements, requirements to reduce exposure to secondhand smoke, or completely outlaw certain types of businesses. The state may grant full power to administer licenses to incorporated cities if they so choose. Cities and counties may deny a permit issuance if the event does not comply with local smokefree ordinances. Venues approved for this license must have an area where access is restricted to persons 21 years of age or older, have the cannabis consumption not visible from any public place or nonage-restricted area, and must also not sell or provide for consumption alcohol or tobacco products. On June 18<sup>th</sup>, the bill was amended to include additional restrictions on vendors.

**Status:** AB 2020 passed the Assembly Business and Professions Committee 13-1 (2 members abstaining/not voting) on April 17<sup>th</sup>. It then passed the Assembly Appropriations Committee 12-4 (1 member abstaining/not voting) on May 9<sup>th</sup>. On May 29<sup>th</sup>, AB 2020 was approved on the Assembly Floor 60-16 (2 members abstaining/not voting). AB 2020 passed the Senate Business, Professions, and Economic Development Committee 8-1 on June 25<sup>th</sup> and currently awaits a vote on the Senate Floor.

### [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 approved by the Senate Committee on Natural Resources and Water 6-2 (1 member abstaining/not voting) on March 13<sup>th</sup>. It was then referred to the Senate Appropriations Committee where it was passed 5-2 on May 25<sup>th</sup>. SB 835 was approved by the Senate Floor 26-11 (2 members abstaining/not voting) on May 29<sup>th</sup>. On June 12<sup>th</sup>, the bill was approved by the Assembly Water, Parks and Wildlife Committee 10-5. It was then approved by the Assembly Appropriation Committee 12-5 on August 16<sup>th</sup>. SB 835 now awaits an Assembly floor vote.

### [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 approved by the Senate Committee on Natural Resources and Water 6-2 (1 member abstaining/not voting) on March 13<sup>th</sup>. It was then referred to the Senate Appropriations Committee where it was passed 5-2 on May 25<sup>th</sup>. SB 835 was approved by the Senate Floor 27-11 (1 member abstaining/not voting) on May 29<sup>th</sup>. On June 12<sup>th</sup>, the bill was approved by the Assembly Water, Parks and Wildlife Committee 10-5. It was then approved by the Assembly Appropriation Committee 12-5 on August 16<sup>th</sup>. SB 836 now awaits an Assembly floor vote.

# Legislative Update: August 21, 2018



## **[SB 1408](#) (Pan – D, Sacramento) Cigarettes: seizure**

Senate Bill 1408 began as a bill unrelated to tobacco. On March 22<sup>nd</sup>, it was amended to focus on tobacco. Current law bans the sale, offering, or possession of cigarettes that do not meet specific manufacturing criteria, but offers an exemption for cigarettes produced outside California. Senate Bill 1408 would delete the exemption and make these cigarettes contraband which can be seized and disposed of by law enforcement or the state Department of Tax and Fee Administration. Any person who fails or refuses an inspection will be subject to a \$1,000 civil penalty.

**Status:** SB 1408 was approved unanimously by the Senate Business, Professions and Economic Development Committee on April 16<sup>th</sup>. It was then approved on the Senate Floor 35-2 (2 abstaining/not voting) on May 21<sup>st</sup>. On June 28<sup>th</sup>, it passed the Assembly Governmental Organization Committee 19-1 (1 member abstaining/not voting). It was then approved by the Assembly Appropriations Committee 15-2 on August 8<sup>th</sup>. The bill is now scheduled to be heard on the Assembly Floor on August 23<sup>rd</sup>.

## **Two tobacco-related resolutions are moving through the legislature:**

In addition to introducing bills that affect California law, legislators may also submit resolutions for consideration. Resolutions are statements of opinion that, if passed, represent the general consensus of one or both houses of the legislature. These resolutions cannot be enforced as law and do not follow regular legislative rules or deadlines.

## **[ACR 254](#) (Holden – D, Pasadena) Smoke-free multiunit housing**

Assembly Concurrent Resolution 254 encourages local jurisdictions throughout California to adopt policy to reduce smoking in existing and newly constructed multiunit housing.

**Status:** ACR 254 was introduced on June 13<sup>th</sup> and was referred to the Assembly Committee on Housing and Community Development, where it awaits a hearing.

## **[SCR 143](#) (Pan – D, Sacramento) Smoking: youth: motion picture industry**

Senate Concurrent Resolution 143 encourages the California Department of Public Health, the Attorney General, and other state and local agencies to work with the motion picture industry to eliminate depictions of smoking in the entertainment industry.

**Status:** SCR 143 passed the Senate Health Committee 6-0 (3 abstaining/not voting) on June 6<sup>th</sup>. It was then approved by the Senate Floor 24-8 (7 abstaining/not voting) on July 2<sup>nd</sup>. It is scheduled to be heard in the Assembly Health Committee on August 21<sup>st</sup>.

The Center's Bill Tracker ([www.center4tobaccopolicy.org/bill-tracker/](http://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: August 21, 2018*

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