



California Legislative Update

The 2017-2018 legislative session ended on Friday, August 31st. Bills that were approved by the legislature will now move to the Governor's desk for final approval. The Governor has until Sunday, September 30th to either approve or veto the bills. Any bills that were not approved by the legislature are no longer eligible to move forward and cannot be brought back up next year.

Five tobacco-related bills were approved by both the Senate and Assembly and sent to the Governor for his action. The governor has three options, (1) he can sign the bill into law, which allows the bill to take effect, (2) he can veto the bill, which stops the bill from taking effect, or (3) he can do nothing, which allows the law to take effect.

Five tobacco-related bills are pending before the Governor:

[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 will not be moving forward:

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

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

Legislative Update: September 5, 2018



Five tobacco-related bills are pending before the governor:

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

Assembly Bill 1097 makes it a crime to smoke or dispose of cigar and cigarette waste at designated non-smoking picnic areas within state parks and coastal beaches. On August 24th, the bill was amended to only apply to picnic areas instead of entire state parks and beaches and the fine was decreased to \$25.

Status: AB 1097 now awaits action by the Governor.

January 9th: passed the Assembly Water, Parks & Wildlife Committee 10-4 (1 member abstaining/not voting)

January 18th: passed the Assembly Appropriations Committee 12-5

January 29th: passed the Assembly 46-24 (7 members abstaining/not voting)

June 12th: passed the Senate Natural Resources and Water Committee 7-2

July 2nd: unanimously passed the Senate Appropriations Committee

August 29th: passed the Senate Floor 27-12 (1 member abstaining/not voting)

August 31st: Senate amendments approved by the Assembly Floor 57-22 (1 member abstaining/not voting)

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 counties and incorporated cities if they so choose. Licenses may be denied 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 18th, the bill was amended to include additional restrictions on vendors. On August 20th, amendments were taken to give local law enforcement the ability to monitor and shut down events for immediate public health and safety purposes.

Status: AB 2020 now awaits action by the Governor.

April 17th: passed the Assembly Business and Professions Committee 13-1 (2 members abstaining/not voting)

May 9th: passed the Assembly Appropriations Committee 12-4 (1 member abstaining/not voting)

May 29th: approved by the Assembly Floor 60-16 (2 members abstaining/not voting)

June 25th: passed the Senate Business, Professions, and Economic Development Committee 8-1

August 27th: approved by the Senate Floor 30-9 (1 member abstaining/not voting)

August 29th: Senate amendments approved by the Assembly Floor 61-15 (4 members abstaining/not voting)

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. On August 23rd, the disposal clause was amended so that cigar and cigarette waste may be disposed of in an appropriate receptacle.

Status: SB 835 now awaits action by the Governor.

March 13th: passed the Senate Committee on Natural Resources and Water 6-2 (1 member abstaining/not voting)

May 25th: passed the Senate Appropriations Committee 5-2

May 29th: approved by the Senate Floor 26-11 (2 members abstaining/not voting)

June 12th: passed the Assembly Water, Parks & Wildlife Committee 10-5

August 16th: passed the Assembly Appropriations Committee 12-5

August 29th: approved by the Assembly Floor 55-25

August 30th: Assembly amendments approved by the Senate Floor 26-11 (3 members abstaining/not voting)

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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. On August 23rd, the disposal clause was amended so that cigar and cigarette waste may be disposed of in an appropriate receptacle.

Status: SB 836 now awaits action by the Governor.

March 13th: passed the Senate Committee on Natural Resources and Water 6-2 (1 member abstaining/not voting)

May 25th: passed the Senate Appropriations Committee 5-2

May 29th: approved by the Senate Floor 27-11 (1 members abstaining/not voting)

June 12th: passed the Assembly Water, Parks & Wildlife Committee 10-5

August 16th: passed the Assembly Appropriations Committee 12-5

August 29th: approved by the Assembly Floor 54-25 (1 member abstaining/not voting)

August 30th: Assembly amendments approved by the Senate Floor 26-11 (3 members abstaining/not voting)

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

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 now awaits action by the Governor.

April 16th: unanimously approved by the Senate Business, Professions and Economic Development Committee

May 21st: approved by the Senate Floor 35-2 (2 abstaining/not voting)

June 28th: passed the Assembly Governmental Organization Committee 19-1 (1 member abstaining/not voting)

August 8th: passed the Assembly Appropriations Committee 15-2

August 23rd: approved by the Assembly Floor 68-5 (7 abstaining/not voting)

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Two tobacco-related resolutions will not be moving forward:

[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 13th and was referred to the Assembly Committee on Housing and Community Development but failed to receive 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 failed to receive enough votes to move beyond the Assembly Health Committee.

June 6th: passed the Senate Health Committee 6-0 (3 member abstaining/not voting)

July 2nd: Approved by the Senate Floor 24-8 (7 abstaining/not voting)

August 21st: failed in the Assembly Health Committee 7-0 (8 members abstaining/not voting)

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: September 5, 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>.