



California Legislative Update

The deadline for the governor to sign or veto new legislation was Sunday, September 30th. Of the remaining five tobacco-related bills, two were signed into law and three were vetoed.

Any bills that did not reach the Governor's desk this year will not be eligible to be revisited next year. The 2017-2018 Legislative Session is now over. The 2019-2020 legislative session will begin on January 3, 2019.

Two tobacco-related bills were signed into law.

These bills will go into effect January 1, 2019.

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

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

Three tobacco-related bills were vetoed.

Governor Brown vetoed three bills that would have banned or limited smoking within state parks and coastal beaches, citing overarching limitations on personal freedoms and the “wide open” nature of the state parks and beaches as reason to stop the bills from becoming law. See the governor's comments [here](#).

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

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

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

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Two tobacco-related bills were signed into law:

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

Assembly Bill 2020 allows the state to issue temporary event licenses to any venue that will be selling cannabis products onsite. This does not supersede 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 or revoked if the event does not comply with local smokefree ordinances. Venues 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 place without age restrictions, and must also not sell or provide for consumption alcohol or tobacco products. Local law enforcement may monitor and shut down events for immediate public health and safety purposes.

Status: 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)

September 26th: Approved by the Governor

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

Previous law banned the sale, offering, or possession of cigarettes that do not meet specific manufacturing criteria, but offered an exemption for cigarettes produced outside California. Senate Bill 1408 deletes the exemption and makes 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: 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)

September 20th: Approved by the Governor

Three tobacco-related bills were vetoed by the Governor:

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

Assembly Bill 1097 would have made it a crime to smoke or dispose of cigar and cigarette waste at designated non-smoking picnic areas within state parks and coastal beaches.

Status: 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)

September 30th: Vetoed by the Governor

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

Senate Bill 835 would have made it a crime to smoke within a state park or dispose of cigar and cigarette waste outside appropriate receptacles within the parks. The bill would have allowed the Director of Parks and Recreation at any affected location to designate exempted areas where smoking would be permitted.

Status: 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)
September 30th: Vetoed by the Governor

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

Senate Bill 836 would have made it a crime to smoke on a state coastal beach or dispose of cigar and cigarette waste outside appropriate receptacles on those beaches. The bill would have allowed the Director of Parks and Recreation at any affected location to designate exempted areas where smoking would be permitted.

Status: 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)
September 30th: Vetoed by the Governor

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](#).

If you have questions about this update, please contact Alyssa Stratton (Alyssa.stratton@lung.org) at (916) 585-7664.

Center for Tobacco Policy & Organizing: October 8, 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>.