



California Legislature Reconvenes

The deadline for introducing new bills for the 2019 session of the California Legislature was Friday, February 22. In total, eleven tobacco-related bills were introduced. Over the next several months, various committees will hold hearings and vote on these bills as they move forward in the legislative process. The key deadlines for the 2019 legislative session are May 31 (deadline for bills to pass the full house in which they were introduced) and September 13 (end of legislative session and deadline for all bills to be passed and sent to the Governor).

Eleven tobacco-related bills have been introduced

- [AB 131](#) (Cunningham – R, Templeton) Electronic smoking devices: manufacturers: advertising
- [AB 739](#) (McCarty – D, Sacramento) Flavored tobacco products
- [AB 1625](#) (Rivas, Robert – D, Hollister) Unflavored tobacco list
- [AB 1626](#) (Rivas, Robert – D, Hollister) Cigarettes: administration: Attorney General
- [AB 1627](#) (Rivas, Robert – D, Hollister) Cigarette Tobacco Directory
- [AB 1691](#) (Gloria – D, San Diego) Cigarettes and tobacco products licensing
- [AB 1718](#) (Levine – D, San Rafael) State parks: state coastal beaches: smoking ban
- [SB 8](#) (Glazer – D, Orinda) State parks: state coastal beaches: smoking ban
- [SB 38](#) (Hill – D, San Mateo) Flavored tobacco products
- [SB 39](#) (Hill – D, San Mateo) Tobacco products
- [SB 538](#) (Rubio – D, Baldwin Park) STAKE Act: definitions

Legislative Update: March 4, 2019



Bills Moving Forward:

[AB 131](#) (Cunningham – R, Templeton) Electronic smoking devices: manufacturers: advertising
Assembly Bill 131 would prohibit electronic smoking device manufacturers from advertising or promoting the products in ways that appeal to minors. This includes the prohibition of cartoons or characters popular among children, imitation of candy packaging, or using the words “candy” or “candies.” The law would apply to any electronic smoking device that delivers nicotine or other vaporized liquids, including e-cigarettes, vape pens, cigars, pipes, and hookah. Anyone caught in violation of the law would be subject to fines starting at \$1,000.

Status: January 24: Referred to the Assembly Committee on Government Organization and is awaiting a hearing date.

[AB 739](#) (McCarty- D, Sacramento) Flavored tobacco products

Assembly Bill 739 would prohibit a tobacco retailer from selling or offering for sale flavored tobacco products. Anyone who violates this law could receive a of \$250 for each violation. This bill would not limit the adoption or implementation of local ordinances restricting the sale of flavored tobacco products.

Status: February 22: Introduced

[AB 1625](#) (Rivas, Robert- D, Hollister) Unflavored tobacco list

Assembly Bill 1625 would require the Attorney General to maintain, on the agency website, a list of tobacco product brands that are not considered flavored. The bill would allow the Attorney General to require manufacturers or importers to submit a list of all brands of tobacco products they manufacture or import, as well as a list of all brands of tobacco products that they manufacture or import for sale or distribution in California that are not flavored.

Status: February 25: Introduced

[AB 1626](#) (Rivas, Robert- D, Hollister) Cigarettes: administration: Attorney General

Assembly Bill 1626 would make a technical change that would move the administration of the firesafe cigarette paper program from the Office of the State Fire Marshal to the Attorney General’s office.

Status: February 25: Introduced

[AB 1627](#) (Rivas, Robert- D, Hollister) Cigarette Tobacco Directory

Assembly Bill 1627 would make technical changes to strengthen the ability of the Attorney General’s office to enforce regulations pertaining to non-participating manufacturers (or those tobacco manufacturers who are not subject to the Master Settlement Agreement).

Status: February 25: Introduced

[AB 1691](#) (Gloria- D, San Diego) Cigarettes and tobacco products licensing

Assembly 1691 would make non-substantive changes to citation provision to the Cigarette and Tobacco Products Licensing Act of 2003. This bill is likely 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: February 25: Introduced

Legislative Update: March 4, 2019



AB 1718 (Levine- D, San Rafael) State parks: state coastal beaches: smoking ban

Assembly Bill 1718 would make it an infraction for a person to smoke or dispose of used cigar or cigarette waste on a state coastal beach or in a unit of the state park system. The Director of Parks and Recreation would be allowed to designate smoking areas within units of the state park system. This is a reintroduction of legislation from last year.

Status: February 25: Introduced

SB 8 (Glazer – D, Orinda) State parks: state coastal beaches: smoking ban

Senate Bill 8 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 \$25.

Status: February 20: Referred to the Senate Committee on Natural Resources and Water and is set for hearing March 12.

SB 38 (Hill – D, San Mateo) Flavored tobacco products

Senate Bill 38 would prohibit the sale or offering of any flavored tobacco product, including menthol cigarettes. The bill defines “characterizing flavor” to mean any distinguishable taste or aroma outside of the traditional taste or aroma of tobacco.

Status: January 16: Referred to the Senate Committee on Health and is awaiting a hearing date

SB 39 (Hill – D, San Mateo) Tobacco products

Senate Bill 39 would create more strict requirements for online tobacco sales. Current law requires the seller or distributor to verify the recipient’s age. This bill would require a person 21 years of age or older to sign for the package upon delivery. It would also require the packaging to be labeled “contains tobacco products: signature of person 21 years of age or older required for delivery.” Anyone caught in violation of the law would be subject to fines starting at \$1,000.

Status: January 16: Referred to the Senate Committee on Health and is awaiting a hearing date

SB 538 (Rubio- D, Baldwin Park) STAKE Act: definitions

Senate Bill 538 would make technical, non-substantive changes to the provisions in the Stop Tobacco Access to Kids Enforcement (STAKE) Act that deal with the definition of smoking and tobacco products. This bill is likely 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: February 22: Introduced

The Center’s Bill Tracker (www.center4tobaccopolicy.org/bill-tracker/) can be used to track all bills throughout the 2019-2020 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 Karina Camacho (karina.camacho@lung.org) at (916) 585-7669.

Center for Tobacco Policy & Organizing: March 4, 2019

Sources: Copies of the legislation outlined above and vote information may be obtained at www.leginfo.legislature.ca.gov/.
The 2019 Legislative Master Calendar can be found at <http://assembly.ca.gov/legislativedeadlines>.