



## California Legislative Update

With multiple important deadlines, May is a busy month at the Capitol. May 17th was the deadline for all bills to be voted on in the fiscal committee in their house of origin. Next, by June 3rd, all bills must be voted on by the full floor in their house of origin.

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

- [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 39](#) (Hill – D, San Mateo) Tobacco products
- [SB 424](#) (Jackson – D, Santa Barbara) Tobacco products: single-use and multiuse components
- [SB 538](#) (Rubio – D, Baldwin Park) Electronic cigarettes

### One tobacco-related bill has been placed on inactive and will not continue to move

- [SB 38](#) (Hill – D, San Mateo) Flavored tobacco products

Six tobacco bills were introduced but are no longer moving forward this year. They are eligible to be brought up again in 2020.

- [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

## Four bills remain eligible for a floor vote in their house of origin:

### **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:** AB 1718 passed the Assembly Committee on Water, Parks and Wildlife 10-4 and the Assembly Appropriations Committee 13-3 (2 assembly members abstaining/not voting). AB 1718 has been referred to the Assembly floor for a vote.

### **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:** SB 8 passed the Senate Natural Resources Committee 7-2 and the Senate Appropriations Committee 4-2. SB 8 has been referred to the Senate floor for a vote.

### **SB 424 (Jackson – D, Santa Barbara) Tobacco products: single-use and multiuse components**

Senate Bill 424 would prohibit the sale and distribution of cigarettes with a single-use filter and single-use plastic devices to facilitate smoking. This also includes single-use electronic cigarettes or vaporizer devices. These products would not be allowed to be shipped to any address in California

**Status:** SB 424 passed the Senate Health Committee 7-1 (1 senator abstaining/not voting), the Senate Environmental Quality Committee 5-1 (1 senator abstaining/not voting), and the Senate Appropriations Committee 4-2. SB 424 was amended and has been referred to the Senate floor for a vote.

### **SB 538 (Rubio- D, Baldwin Park) Electronic cigarettes**

Senate Bill 538 would require electronic cigarette manufacturers to submit a photo and physical description of each type of their electronic cigarettes to the California Department of Public Health as of April 1, 2020. For new manufacturers, description and photo would need to be submitted within 30 days of the electronic cigarette being available for sale.

**Status:** SB 538 passed the Senate Health Committee 9-0 and the Senate Appropriations Committee 6-0. SB 538 has been referred to the Senate floor for a vote.

## One bill has been placed on inactive and will not continue to move

### **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. The bill defines “characterizing flavor” to mean any distinguishable taste or aroma outside of the traditional taste or aroma of tobacco. SB 38 was amended to exempt any tobacco products patented before 2000 except for menthol and to exempt all hookah products.

**Status:** SB 38 passed the Senate Committee on Health 8-1 and the Senate Appropriations Committee 4-2. SB 38 was amended and has been referred to the Senate floor where it was placed on inactive, meaning it will not continue to move this year.

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## One bill has been referred to a policy committee in its second house.

### **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:** SB 39 passed the Senate Committee on Health with amendments 9-0. The Senate Appropriations Committee referred SB 39 to the Senate floor. SB 39 was approved by the Senate Floor 38-0 and has been sent to the Assembly. Referred to the Assembly Government Organization Committee and does not have a hearing date.

## The following tobacco bills were introduced but are no longer moving forward this year. They are eligible to be brought up again in 2020.

**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

For more information about these bills please refer to the [May 8, 2019 legislative update](#).

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 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](mailto:karina.camacho@lung.org)) at (916) 585-7669.

*Center for Tobacco Policy & Organizing: May 28, 2019*

*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 2019 Legislative Master Calendar can be found at <http://assembly.ca.gov/legislativedeadlines>.*