

Legislative Update

September 28, 2004

Governor Schwarzenegger has signed into law the following three tobacco-related bills:

Assembly Bill 384 (Leslie, R-Tahoe City) which will prohibit the possession of tobacco products by inmates in state prisons and California Youth Authority (CYA) facilities. The law also prohibits the use of tobacco products by any person (staff, visitor, etc.) on the grounds of these facilities except in residential staff housing where inmates are not present. The legislation will go into effect July 1, 2005.

Senate Bill 1173 (Ortiz, D-Sacramento) which will prohibit the self-service display of non-cigarette products at retail outlets. The legislation will go into effect January 1, 2005 and will cover such products as cigars, pipe tobacco, smokeless as well as tobacco paraphernalia. SB 1173 builds upon previous legislation that banned self-service sales of cigarettes.

AB 3092 (J. Horton, **D-Inglewood**) increased the fines under Penal Code 308 for failure to post a STAKE Act sign. This legislation included an urgency clause and therefore the law goes into effect immediately. Fines have increased from \$10 for the first violation and \$50 for each subsequent violation to \$50 for the first violation, \$100 for the second violation, \$250 for the third violation and \$500 for the fourth and each subsequent violation.

The 2004 legislative session ended on Saturday, August 28, 2004. The Governor has until Thursday, September 30, 2004 to sign or veto all bills.

If you have any questions or would like more information about these bills, please contact Julie Bradley-Hart, Policy Coordinator with the Center for Tobacco Policy and Organizing, at 916-442-4299 of jbhart@alac.org.