

The legislature has now entered its final week of session, with adjournment for the remainder of the year planned for this Friday, September 14. The below legislative week in review contains updates on legislative activity during the past week and a status update for each of the tobacco-related bills that are still active for this legislative session.

AB 1585 (Lieber – D, Mountain View) Expansion of Nonsale Distribution of Tobacco Products

This bill would modify the definition of nonsale distribution of smokeless tobacco to be defined to include gift certificates, gift cards, and other similar offers and apply the restrictions on sales of tobacco products over the Internet and other non face-to-face means to apply to nonsale distribution of tobacco products as well.

Status: AB 1585 was amended on September 5 to state that if both AB 1585 and AB 1617 are signed into law, then the provisions related to restricting Internet sales of tobacco products found in AB 1617 would become operative over the Internet restrictions found in AB 1585.

Next Step: Senate Floor Vote

AB 1617 (DeSaulnier – D, Martinez) Restricting Internet Sales of Tobacco Products

This bill would restrict Internet sales of cigarettes by making it unlawful for distributors to ship cigarettes to individuals in California and for common or contract carriers to knowingly transport cigarettes to individuals in California.

Status: AB 1617 was amended on September 5 to state that if both AB 1585 and AB 1617 are signed into law, then the provisions related to restricting Internet sales of tobacco products found in AB 1617 would become operative over the Internet restrictions found in AB 1585.

Next Step: Senate Floor Vote

SB 7 (Oropeza – D, Carson) Prohibiting Smoking in Cars with Minors

Senate Bill 7 would prohibit smoking in a motor vehicle, regardless of whether the vehicle is stationary or moving, in which a minor (17 years and younger) is present.

Status: No legislative activity last week

Next Step: Assembly Floor Vote

SB 624 (Padilla – D, Pacoima) Increasing STAKE Act Enforcement

The bill would allow local enforcement agencies to conduct random inspections using minors and to assess penalties to ensure retailer compliance with the STAKE Act without having to enter into an enforcement delegation contract with Department of Public Health as they are currently required to do.

Status: The Assembly passed SB 624 by a vote of 76-0 on September 5 and the Senate passed the bill by a vote of 24-14 on September 6. The Senate had to pass the bill a second time because amendments were made while the legislation was in the Assembly.

Assembly Vote

Voted in Favor – Adams, Aghazarian, Anderson, Arambula, Bass, Beall, Benoit, Berg, Berryhill, Blakeslee, Brownley, Caballero, Calderon, Carter, Cook, Coto, Davis, De La Torre, De Leon, DeSaulnier, DeVore, Duvall, Dymally, Emerson, Eng, Evans, Feuer, Fuentes, Fuller, Gaines, Galgiani, Garcia, Garrick, Hancock, Hayashi, Hernandez, Horton, Houston, Huff, Huffman, Jeffries, Jones, Karnette, Keene, Krekorian, La Malfa, Laird, Leno, Levine, Lieber, Lieu, Ma, Maze, Mendoza, Mullin, Nakanishi, Nava, Niello, Nunez, Parra, Plescia, Portantino, Runner, Ruskin, Salas, Saldana, Silva, Solorio, Soto, Spitzer, Swanson, Torrico, Tran, Villines, Walters, Wolk

Absent or Not Voting – Price, Richardson, Smyth, Strickland

Senate Vote

Voted in Favor – Alquist, Calderon, Cedillo, Correa, Ducheny, Florez, Kehoe, Kuehl, Lowenthal, Machado, Maldonado, Migden, Negrete McLeod, Oropeza, Padilla, Perata, Ridley-Thomas, Romero, Scott, Simitian, Steinberg, Torlakson, Wiggins, Yee

Voted Against – Aanestad, Ackerman, Ashburn, Battin, Cogdill, Cox, Denham, Dutton, Harman, Hollingsworth, Margett, McClintock, Runner, Wyland

Absent or Not Voting – Corbett, Vincent

Next Step: The bill will be sent to the Governor who can sign, veto, or allow the bill to become law without his signature.

BILLS THAT HAVE BEEN SENT TO THE GOVERNOR

The Governor has 30 days to sign, veto, or allow a bill to become law without his signature once he has received the enrolled legislation. To help keep track of the bills that are awaiting action by the Governor, below is the list of bills that have been sent to him and the date that the Governor received them.

AB 1467 (DeSaulnier – D, Martinez) Expansion of Smokefree Workplaces – Received September 6

SB 295 (Cogdill – R, Modesto) Definition of Untaxed Tobacco Product – Received September 6

SB 625 (Padilla – D, Pacoima) Tobacco Product Retailers License Reinstatement Fee – Received September 6

SB 655 (Margett – R, Glendora) Possession of Tobacco in Local Correctional Facilities – Received September 6

Center for Tobacco Policy & Organizing, September 10, 2007

If you have questions about this analysis, please contact The Center's Policy Coordinator, Justin Garrett, at (916) 442-4299, ext. 233 or jgarrett@alac.org or Paul Kneprath, Vice President, Government Relations, American Lung Association of California, at (916) 442-4446, ext. 224 or pkneprath@alac.org.

Sources: Copies of the legislation outlined above and vote information may be obtained at <http://www.leginfo.ca.gov>.