



California's Center for Tobacco Policy & Organizing

Legislative Week in Review (August 25-31)

The California Legislature finished the 2008 legislative session on Sunday, August 31. This was the deadline by which all bills needed to be passed by. Despite finishing their work on these bills, legislators will remain in Sacramento to keep working on a state budget, which is now more than two months late. In addition, Governor Arnold Schwarzenegger is still pledging to veto all bills until a budget is adopted so this could impact the two remaining tobacco-related bills. Below is a status update on those two bills.

AB 2344: Annual Fee for State Tobacco Retailer License (Beall – D, San Jose)

This bill would increase the fee for a state tobacco retailer license from \$100 to \$185 and require this fee to be paid annually.

Status – Since August 14, AB 2344 has been passed by both the Assembly and the Senate and waiting to be sent to the Governor. Once he receives the bill, he will have until September 30 to sign it into law, veto it or allow it to become law without his signature.

AB 3010: Prohibiting Tobacco Use at State Mental Hospitals (Blakeslee – R, San Luis Obispo)

This bill would authorize the Director of the Department of Mental Health to prohibit smoking by patients and staff at any of the five state mental hospitals upon the request of the director of one of those hospitals.

Status – The full Assembly passed AB 3010 on August 28 by a vote of 77-0. The Assembly had to pass the bill a second time because the bill was amended in the Senate and both houses must pass an identical version of the bill. AB 3010 will now be sent to the Governor, who will have until September 30 to sign it into law, veto it or allow it to become law without his signature.

Voted in Favor – Adams, Aghazarian, Anderson, Arambula, Bass, Beall, Benoit, Berg, Berryhill, Blakeslee, Brownley, Caballero, Calderon, Carter, Cook, Coto, De La Torre, De Leon, DeSaulnier, DeVore, Duvall, Dymally, Emmerson, Eng, Evans, Feuer, Fuentes, Fuller, Furutani, 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, Price, Ruskin, Salas, Saldana, Silva, Smyth, Solorio, Spitzer, Strickland, Swanson, Torrico, Tran, Villines, Walters, Wolk

Absent or Not Voting – Davis, Runner, Soto

In addition to these two bills, there was a tobacco-related proposed constitutional amendment that still could have been acted on by the Legislature. SCA 13 by Senator Tom Torlakson (D-Antioch) would have increased the state tobacco tax by \$2.10/pack to fund various programs. However, this proposed constitutional amendment was amended on August 29 and is no longer related to a tobacco tax. SCA 13 would now make changes to the budget process.

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If you have questions about this analysis, please contact Justin Garrett, at (jgarrett@alac.org) or Paul Knepprath (pknepprath@alac.org) at (916) 554-5864 (LUNG). To view this update and past legislative updates, please visit www.Center4TobaccoPolicy.org.

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

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