



Legislative Update

December 9, 2008

The 2009 legislative session for the California Legislature began on December 1, 2008 when new legislators were sworn in. On that same day, Governor Arnold Schwarzenegger declared a fiscal emergency and called the legislature into a special session to address the budget. This gives the legislature 45 days to pass and send bills to the Governor to address the budget crisis. If the legislature does not pass bills to address the budget in 45 days, they will not be able to adjourn or act on other legislation until they do so.

Despite the financial crisis the state is facing, when the new legislative session began legislators did have the opportunity to introduce bills that were not related to the budget situation. One tobacco-related bill was introduced, Senate Bill 4 by Senator Jenny Oropeza. This bill would prohibit smoking at state parks and state beaches. Below is an update on this bill, complete with a summary, status update and next steps. More information is available on the Center's Bill Tracker at www.Center4TobaccoPolicy.org/bills.

SB 4: Prohibiting Smoking at State Parks and State Beaches (Oropeza – D, Long Beach)

Senate Bill 4 would prohibit smoking at state parks and state beaches. The smoking prohibitions would not include parking lots at state parks and beaches and violations would be punishable by a fine of \$250. New signs about the smoking prohibition would only be posted when existing signs are going to be replaced and the Department of Parks and Recreation or another relevant state agency would be responsible for developing and posting the signs.

Status – Because of Senate rules requiring bills to have to wait 30 days to be acted on, the bill cannot be acted on until January 1.

Next Step – SB 4 will likely be referred to the Senate Natural Resources and Water Committee. This is the same committee that stopped the two previous versions of smokefree state parks and beaches legislation introduced by Senator Oropeza (SB 4 in 2007 and SB 1418 in 2008) from moving forward in the legislative process. However, the membership of the Natural Resources and Water Committee will be different this legislative session than it was in 2007 and 2008. A key Senator who did not support the legislation in 2007 and 2008 is now termed out of office and will not be on the committee in 2009. For the 2009 legislative session, the chair of this committee will be Senator Fran Pavley (D) who had a strong pro-tobacco control record during her time in the Assembly. The rest of the committee members are unknown at this time and will likely be named in January. Depending on which members are selected for this committee, it is possible that this bill would have a better chance of moving forward in the legislative process in 2009.

Center for Tobacco Policy & Organizing, December 9, 2008

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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