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Sent: Wednesday, May 11, 2016 3:15 PM

To: Shelly Tillery <Shelly@ssda.org>

Subject: MEMBERS ONLY - New Tobacco Laws Impact Schools - Almost Immediately

Governor Brown recently signed a package of bills dealing with tobacco, electronic cigarettes, and changing California's legal smoking age from 18 to 21 years of age - making California the second state in the U.S. to make this switch, after Hawaii.

The scope of the changes is significant and largely aimed at children and stopping them from ever lighting up in the first place. And while the minimum age change is important, there is a lot more to the changes, like finally erasing any distinction between e-cigarettes and traditional cigarettes when it comes to banning them from public locations (schools, health care facilities, restaurants, etc.).

Of particular interest to school administrators, a number of changes also directly impact schools and take effect June 9, 2016. Following are some key provisions:

- Prohibits the use of tobacco and nicotine products at any time in a county office of education (COE), charter school, or school district-owned or leased buildings, on school or district property, and in school or district vehicles
- Prohibits the use of electronic cigarettes by students on school campuses or while under the supervision of school district employees (this prohibition already exists for smoking and use of tobacco products.)
- Requires school districts, charter schools, and COEs to prominently display signs at all entrances to school property stating "Tobacco use is prohibited"
- Prohibits distribution of free samples of smokeless tobacco products within a two-block radius of schools, clubhouses, and youth centers, or any facility directed towards persons under 21 years-old, when the facility is being used for its primary purpose
- Extends eligibility for funding for the tobacco use prevention program to include charter schools

As you can see from the bill titles below, these measures were approved as part of a special session of the Legislature dealing with health care (the "X2" of the bill numbers refers to the second extraordinary session). Bills signed into law during a special session take effect 90 days after the end of the special session (usually, bills signed by the Governor take effect January 1 of the following year).

The package of tobacco bills signed by Governor Brown:

AB X2-7 - Stone (D): Smoking in the Workplace

<http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520162AB7>

Extends the current prohibition against employers permitting the smoking of tobacco products at the place of employment or in an enclosed space to also cover owner-operated businesses and narrows the exemptions to the prohibition.

AB X2-9 - Thurmond (D): Tobacco Use

Programs<http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520162AB9>

Requires local education agencies to display signs stating "Tobacco use is prohibited," at every entrance to school property.

AB X2-11 - Nazarian (D): Cigarette and Tobacco Product Licensing: Fees and

Funding<http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520162AB11>

Raises fees on license applications for cigarette and tobacco product retailers, wholesalers, and distributors.

SB X2-5 - Leno (D): Electronic

Cigarettes<http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520162SB5>

Adds electronic cigarettes to existing and new cigarette laws by including electronic cigarettes and use of electronic cigarette in the definition of "smoking" and "tobacco product".

SB X2-7 - Hernandez (D): Tobacco Products: Minimum Legal

Age<http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520162SB7>

Raises the legal age for smoking in California from 18-years-old to 21-years-old, excluding active duty military personnel who are 18 years of age or older.

Erin Evans-Fudem and Caitlin Jung contributed to this update. Please let us know if we can provide any additional information.

Thanks,
-Barrett

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