American Lung Association in California Applauds New College Smoking Enforcement Law

Statement by Jane Warner, President & Chief Executive Officer, American Lung Association in California

Sacramento, CA (October 10, 2011)— The American Lung Association in California is pleased that Governor Jerry Brown has signed Assembly Bill 795 into law. The new law provides California’s public colleges and universities with tools to enforce existing campus smoking policies. Authored by Assembly Higher Education Chair Marty Block (D-San Diego), this new law will enhance the enforcement of local and system-wide smoking and tobacco laws and ordinances on the campuses of the California Community Colleges (CCC), California State University (CSU), and the University of California (UC) and give these institutions the authority to fine people who violate these policies.

Current law prohibits the smoking of tobacco products in an enclosed space of employment and within 20 feet of a main exit, entrance, or operable window of a public building which includes public colleges and universities. The law however does not include any enforcement mechanisms; it simply states that it does not pre-empt stronger local policies. Many colleges have indicated they are hesitant to adopt stronger policies because they have no way of enforcing the current policies. By adding enforcement language to the existing policies, colleges will have the authority to cite and collect revenue as a form of enforcement. AB 795 goes into effect on January 1, 2012.

Secondhand smoke is not only a nuisance, but a toxic air contaminant and real health concern for many college students, faculty and visitors to college campuses. It can exacerbate asthma and other lung diseases and is responsible for causing death and disease in smokers and nonsmokers alike. College administrators and campus enforcement agencies now have the appropriate tools so that they can take steps to reduce exposure to secondhand smoke and protect the health of their students, faculty and visitors to their campus.

AB 795 was sponsored by the American Lung Association in California and had the support of the American Heart Association, American Cancer Society, California Medical Association, the Student Senate for California Community Colleges, the Health Services Association of California Community Colleges, Associated Students of Santa Rosa Junior College, Peralta Community College District and San Diego Miramar College Student Health Services among others.

Legislative Update
October 11, 2011
On October 8, Governor Jerry Brown signed AB 795 (Block – D, San Diego) into law. This legislation provides tools for college campus enforcement agencies to better enforce existing state law that prohibits smoking within 20 feet of entrances and exits to buildings on college campuses. Specifically, this new law will allow the three state college and university systems to collect fines for violations, post signs and inform employees and students of the campus smoking policies. Funds collected from fines can be used for enforcement and education about the policy and for tobacco cessation. The new law goes into effect on January 1, 2012. The American Lung Association in California has released a statement applauding this new law.

Full details about AB 795 and all other tobacco-related bills are available on the Center’s Bill Tracker at www.Center4tobaccopolicy.org/bills.

Center for Tobacco Policy & Organizing, October 11, 2011
If you have questions about this analysis, please contact Justin Garrett, at (jgarrett@alac.org) or Kimberly Weich Reusche (kwreusche@alac.org) at (916) 554-5864 (LUNG). To view this update and past legislative updates, please visit www.Center4TobaccoPolicy.org/bills-updates.
Sources: Copies of the legislation outlined above and vote information may be obtained at http://www.leginfo.ca.gov.