

# Vista Community Clinic

To advance community health and hope by providing access to premier health services and education for those who need it most.

## Next Steps for SB 793

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# SB 793: Ban on Flavored Tobacco Products

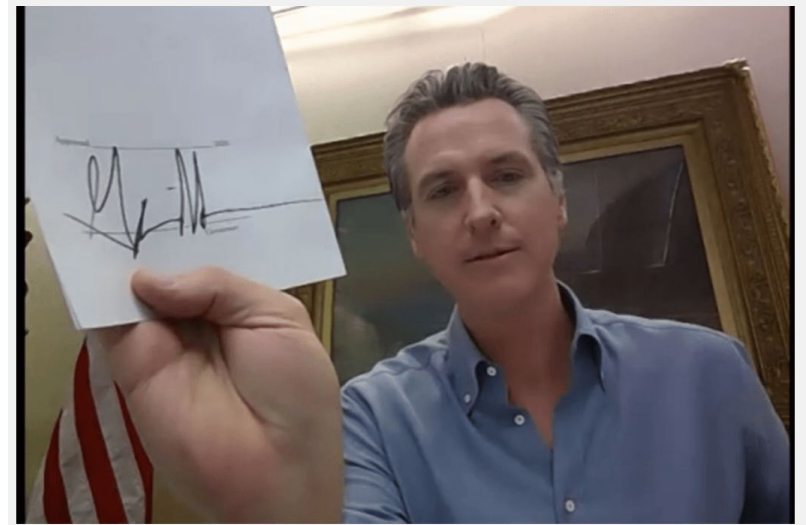
**Passed Assembly: August 24, 2020**

**Includes:**

- Flavored e-cigarettes or vapes, e-juice, pods and cartridges
- Menthol cigarettes
- Flavored little cigars and cigarillos
- Loose leaf roll-your-own tobacco
- Smokeless tobacco
- Flavored tobacco product enhancer

**Excludes:**

- Flavored shisha/hookah
- Premium cigars over \$12
- Loose leaf pipe tobacco



# However...

The Tobacco Industry filed a referendum which overturned the law, forcing the bill to be placed on the ballot for the next general election (11/8/2022) as Prop 31.

The screenshot shows the California General Election website for November 8, 2022. The page is titled "Official Voter Information Guide" and features a navigation menu with links for Home, Propositions, Candidates, Justices, Quick Reference Guide, Voter Information, and Audio/PDF/Large Print. The main content area is for Proposition 31, titled "REFERENDUM ON 2020 LAW THAT WOULD PROHIBIT THE RETAIL SALE OF CERTAIN FLAVORED TOBACCO PRODUCTS." The page includes a summary, a section for "WHAT YOUR VOTE MEANS" with "YES" and "NO" options, and an "ARGUMENTS" section with "PRO" and "CON" points. A "Voter Information Guide" link is also visible at the bottom.

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## California General Election November 8, 2022

### Official Voter Information Guide

[Home](#) [Propositions](#) [Candidates](#) [Justices](#) [Quick Reference Guide](#) [Voter Information](#) [Audio/PDF/Large Print](#)

#### Propositions

- [Proposition 1](#)
- [Proposition 26](#)
- [Proposition 27](#)
- [Proposition 28](#)
- [Proposition 29](#)
- [Proposition 30](#)
- Proposition 31**
- [Print \(PDF\)](#)

#### Dates to Remember

**October 10, 2022**  
County elections officials will begin mailing vote-by-mail ballots on or before this date.

**October 24, 2022**  
Last day to register to vote.

**November 8, 2022**  
Election Day!  
Polls are open 7:00 a.m. - 8:00 p.m.

#### Voter Information Guide

[Home](#) > [Quick Reference Guide](#)

### PROP 31 REFERENDUM ON 2020 LAW THAT WOULD PROHIBIT THE RETAIL SALE OF CERTAIN FLAVORED TOBACCO PRODUCTS.

**SUMMARY** *Put on the Ballot by Petition Signatures*

A "Yes" vote approves, and a "No" vote rejects, a 2020 law prohibiting retail sale of certain flavored tobacco products. **Fiscal Impact:** Decreased state tobacco tax revenues ranging from tens of millions of dollars annually to around \$100 million annually.

#### WHAT YOUR VOTE MEANS

**YES** A YES vote on this measure means: In-person stores and vending machines could not sell most flavored tobacco products and tobacco product flavor enhancers.

**NO** A NO vote on this measure means: In-person stores and vending machines could continue to sell flavored tobacco products and tobacco product flavor enhancers, as allowed under other federal, state, and local rules.

#### ARGUMENTS

**PRO** Yes on 31 protects kids by ending the sale of candy-flavored tobacco, including e-cigarettes and minty-menthol cigarettes. 80% of kids who've used tobacco started with a flavored tobacco product. A YES on 31 vote will save lives and save taxpayers money by preventing tobacco related healthcare expenses.

**CON** Prop. 31 is adult prohibition. It is ALREADY illegal to sell any tobacco products—including vapes—to anyone under 21. Prop. 31 costs taxpayers \$1 billion over four years, while criminal gangs benefit by controlling increased smuggling and underground markets, leading to more neighborhood crime. Prohibition never works. Vote No on Prop. 31.

#### FOR ADDITIONAL INFORMATION


# The results are in!

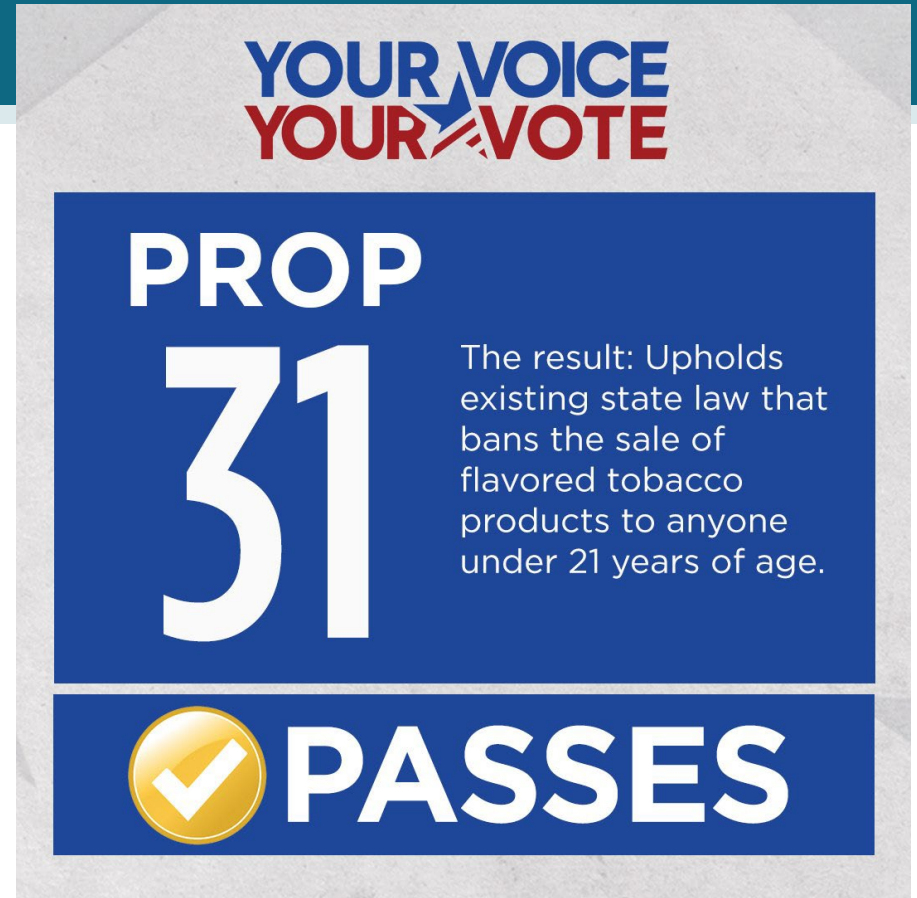
Voters overwhelmingly voted to ban the sale of flavored tobacco products in the state of California.

Other states with bans include Massachusetts, New Jersey, New York, and Rhode Island.

California Proposition 31. Upholds state law barring the sale of flavored tobacco. <sup>^</sup>

Upholds a state law banning the sale of flavored tobacco products.


Decision	Vote %	Vote count
<b>Yes</b> 	<b>63.4%</b>	<b>6,803,424</b>
No	36.6%	3,923,383



**YOUR VOICE  
YOUR VOTE**

**PROP  
31**

The result: Upholds existing state law that bans the sale of flavored tobacco products to anyone under 21 years of age.

 **PASSES**

# Now what?

- Went into effect December 21, 2022
- No sell-down period for retailers
- Local jurisdictions are responsible for enforcement
- Retailers (owners and employees) can be fined \$250 per violation.
- Cities with Tobacco Retail Licenses that are stronger than the state law can lead to retailers losing their license.
  - Can add flavored tobacco to compliance checks.
  - Typically violation of state law is violation of local law.
  - Up to cities how they want to enforce.

# What can you do?

- Contact local law enforcement when witnessing illegal sales
- Contact local City Council
  - Oceanside and Vista both have TRLs. Letting Council know sales are continuing may convince Council to add stronger language to existing policy.
  - Carlsbad does not have a TRL. Community support for a policy could convince Council to adopt a policy.
- Contact VCC Tobacco Control Program
  - Jennifer Gill, [Jennifer.Gill@vcc.org](mailto:Jennifer.Gill@vcc.org), 760-631-5000 ext. 1001