

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: Original
POSITION: Neutral

BILL NUMBER: SB 4
AUTHOR: J. Oropeza

BILL SUMMARY: State Beaches and Parks: Smoking Ban

Existing law prohibits smoking and the disposal of smoking related waste within 25 feet of any playground. A violation of the law is punishable by a \$250 fine for each incident. This proposal would extend the smoking ban and the related fine to state coastal beaches and state parks. This proposal would also require the Department of Parks and Recreation (Parks) or another relevant state agency to develop and post signs to provide notice of the smoking ban.

FISCAL SUMMARY

Parks indicates that the costs to implement this proposal would be absorbable within its existing resources. Parks would only be required to post the no smoking signs when existing signs are replaced, and its existing rangers and lifeguards would enforce the proposed ban as they are responsible for law enforcement and public safety throughout the state park system.

In addition, Parks indicates that revenues from the proposed fines would be negligible. Based on the existing arrangement for fine revenues generated in the state park system, a portion of the proposed fines would go to the county (whichever county the citation is given in) and the remainder would be deposited into the State Parks and Recreation Fund.

The California Coastal Commission (Commission) advises that the proposed signage would need a coastal development permit. However, if existing sign posts are used there is a possibility of issuing one master permit. State law does not allow the Commission to charge state agencies for coastal development permits. Therefore, the cost to the Commission to issue a master permit is estimated to be \$15,000 General Fund. For purposes of this analysis, this would be a minor and absorbable cost to the Commission.

This proposal would not result in a state reimbursable mandate because this proposal would only create a new infraction. The bill contains an appropriate "crimes and infractions" state-mandated cost disclaimer.

COMMENTS

This bill would have a minor fiscal impact and concerns a policy matter on which we are neutral.

Currently, Parks prohibits smoking in certain situations, such as on specific guided walks, buildings, and trails. Additional smoking restrictions are imposed where there are high fire risks. This bill would expand the existing smoking ban to all the areas in the state park system and state coastal beaches except their adjacent parking lots.

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Analyst/Principal (0633) M. Almy	Date	Program Budget Manager Karen Finn	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)

AUTHOR

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Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP							
	RV	98	FC	2008-2009	FC	2009-2010	FC	2010-2011	
3720/Coastal Comm	SO	No		-----	No/Minor Fiscal Impact	-----			0001
3790/Parks & Rec	SO	No		-----	See Fiscal Summary	-----			0001
1646/Fines & Forf	RV	No		-----	See Fiscal Summary	-----			0392

<u>Fund Code</u>	<u>Title</u>
0001	General Fund
0392	Parks and Recreation Fund, State