

GOVERNMENTAL  
RELATIONS

RESOLUTION

**WHEREAS**, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

**WHEREAS**, existing law is designed to reduce the availability of tobacco products to minors through sales restrictions and enforcement activities; and

**WHEREAS**, Penal Code Section 308, otherwise known as the Stop Tobacco Access to Kids Enforcement (STAKE) Act requires the State Department of Health Services (DHS) to take primary responsibility for enforcement of the Act; and

**WHEREAS**, the STAKE Act requires DHS to conduct random, onsite sting inspections at retail sites utilizing a person who is 15 or 16 years of age to determine if retailers are selling tobacco products to minors; and

**WHEREAS**, a recent compliance study of over 750 retailers by the City of Los Angeles found that nearly 40 percent of businesses surveyed illegally sold tobacco to children; and

**WHEREAS**, introduced in February 2007, SB 624 (Padilla) would expand the entities that are permitted to carry out STAKE Act investigations to include state agencies, local law enforcement agencies, a city attorney, and county counsel; and

**WHEREAS**, this bill would authorize DHS to reimburse local law enforcement agencies for enforcement costs incurred; and

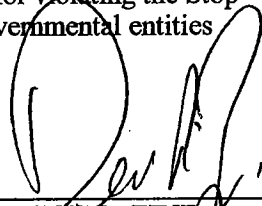
**WHEREAS**, SB 624 would also increase penalties under the STAKE Act for selling, giving, or in any way supplying tobacco products to minors; and

**WHEREAS**, the City has consistently supported legislation which increases STAKE Act penalties and allows local law enforcement agencies to enforce the Act; and

**WHEREAS**, through the City Attorney's Office, the City currently works with DHS to enforce the STAKE Act and the licensing of retailers who sell cigarette and tobacco products;

**NOW, THEREFORE, BE IT RESOLVED**, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2007-2008 Legislative Program SUPPORT for SB 624 (Padilla) which would increase the penalties for violating the Stop tobacco Access to Kids Enforcement (STAKE) Act and would expand the governmental entities permitted to investigate and enforce the STAKE Act.

PRESENTED BY:

  
DENNIS P. ZINE  
Councilmember, 3<sup>rd</sup> District

SECONDED BY:



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