

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

June 19, 2019

The Honorable Gavin Newsom
Governor of the State of California
1303-10th Street, Suite 1173
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 273-19

Dear Governor Newsom:


On June 4, 2019, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 273-19 (Supporting California State Senate Bill No. 39 (Hill) - Tobacco Products), which was enacted on June 14, 2019.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One certified copy of Resolution No. 273-19 (File No. 190583)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


Angela Calvillo
Clerk of the Board

- c. Supervisor Shamann Walton, Member of the Board of Supervisors
Sophia Kittler, Mayor's Liaison to the Board of Supervisors
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Rebecca Peacock, Mayor's Office
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Certified Copy

Resolution

190583 [Supporting California State Senate Bill No. 39 (Hill) - Tobacco Products]

Sponsor: Walton

Resolution supporting California State Senate Bill No. 39, authored by Senator Jerry Hill and co-authored by Senators Steve Glazer and Anthony Portantino, to require tobacco products to be delivered only in a container that is conspicuously labeled as being a tobacco product that requires the signature of a person 21 years of age or older; and require before completing a delivery, a specified entity shall obtain the signature of a person 21 years of age or older upon delivering the product to the recipient's or purchaser's address, as specified.

6/4/2019 Board of Supervisors - ADOPTED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

6/14/2019 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

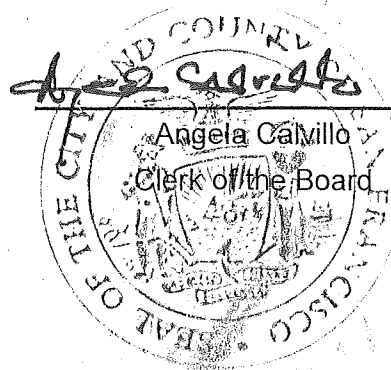
CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

June 17, 2019

Date



1 [Supporting California State Senate Bill No. 39 (Hill) - Tobacco Products]

2
3 **Resolution supporting California State Senate Bill No. 39, authored by Senator Jerry**
4 **Hill and co-authored by Senators Steve Glazer and Anthony Portantino, to require**
5 **tobacco products to be delivered only in a container that is conspicuously labeled as**
6 **being a tobacco product that requires the signature of a person 21 years of age or**
7 **older; and require before completing a delivery, a specified entity shall obtain the**
8 **signature of a person 21 years of age or older upon delivering the product to the**
9 **recipient's or purchaser's address, as specified.**

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11 WHEREAS, Despite progress reducing smoking, tobacco use remains the leading
12 cause of preventable death in the United States, killing more than 480,000 people each year
13 in many forms of cancer, heart disease and respiratory diseases, among other health
14 disorders which are more than AIDS, alcohol, car accidents, illegal drugs, murders and
15 suicides combined; and

16 WHEREAS, Existing law, the Stop Tobacco Access to Kids Enforcement Act, prohibits
17 a person from selling or otherwise furnishing tobacco products, as defined, to a person under
18 21 years of age; and

19 WHEREAS, Existing law prohibits the sale, distribution, or non-sale distribution of
20 tobacco products directly or indirectly to any person under 21 years of age through the United
21 States Postal Service or through any other public or private postal or package delivery service
22 at locations, including, but not limited to, public mailboxes and mailbox stores; and

23 WHEREAS, Existing law requires that any person selling or distributing or engaging in
24 the non-sale distribution of tobacco products directly to a consumer in the state through the
25 United States Postal Services or any other public or private package delivery service verify

1 that the purchaser or recipient of the product is 21 years of age by attempting to match the
2 name, address, and date of birth provided by the customer to information contained in records
3 in a database of individuals whose age has been verified to be 21 or older by reference to an
4 appropriate database of government records kept by the distributor, a direct marketing firm, or
5 any other entity; and

6 WHEREAS, According to the Journal of the American Medical Association, 96% of 15
7 to 16 year olds were able to find an internet cigarette vendor and place an order in less than
8 25 minutes, with most completing the order in seven minutes; and

9 WHEREAS, Studies have shown that nicotine exposure during adolescence can harm
10 the developing brain impacting learning, memory, attention and increasing the addition to
11 other drugs; and

12 WHEREAS, Senate Bill No. 39 will be a critical component in the efforts to restrict sales
13 of tobacco to children and youth by creating a robust age verification process; and

14 WHEREAS, Senate Bill No.39 will require tobacco products to be delivered only in a
15 container that is conspicuously labeled with the words "CONTAINS TOBACCO PRODUCTS:
16 SIGNATURE OF PERSON 21 YEARS OF AGE OR OLDER REQUIRED FOR DELIVERY;"
17 and

18 WHEREAS, Senate Bill No. 39 will also require before completing delivery, a seller,
19 distributor, or non-sale distributor to obtain the signature of a person 21 years of age or older
20 upon the delivery of a tobacco product to a recipient's or purchaser's address; and

21 WHEREAS, Senate Bill No. 39 will permit a recipient and a purchaser to designate an
22 alternative address for delivery if the addresses have been verified; now, therefore, be it

23 RESOLVED, That the City and County of San Francisco Board of Supervisors urges
24 the California Legislature and Governor Gavin Newsom to support and pass California State
25 Senate Bill No. 39; and, be it

1 FURTHER RESOLVED, That the City and County of San Francisco Board of
2 Supervisors hereby directs the Clerk of the Board to send a copy of this resolution to the
3 Governor of the State of California, the California State Assembly, the California State Senate,
4 and California Senator Jerry Hill.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 190583

Date Passed: June 04, 2019

Resolution supporting California State Senate Bill No. 39, authored by Senator Jerry Hill and co-authored by Senators Steve Glazer and Anthony Portantino, to require tobacco products to be delivered only in a container that is conspicuously labeled as being a tobacco product that requires the signature of a person 21 years of age or older; and require before completing a delivery, a specified entity shall obtain the signature of a person 21 years of age or older upon delivering the product to the recipient's or purchaser's address, as specified.

June 04, 2019 Board of Supervisors - ADOPTED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190583

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2019 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

6/14/2019

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

6/17/2019
Date

BOARD of SUPERVISORS



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1 Dr. Carlton B. Goodlett Place, Room 244
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Tel. No. 554-5184
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TDD/TTY No. 554-5227

June 19, 2019

The Honorable Jerry Hill
California State Senator
California State Capitol, Room 5035
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 273-19

Dear Senator Hill:


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The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

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If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


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- c. Supervisor Shamann Walton, Member of the Board of Supervisors
Sophia Kittler, Mayor's Liaison to the Board of Supervisors
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City and County of San Francisco

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Certified Copy

Resolution

190583 [Supporting California State Senate Bill No. 39 (Hill) - Tobacco Products]

Sponsor: Walton

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Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

6/14/2019 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

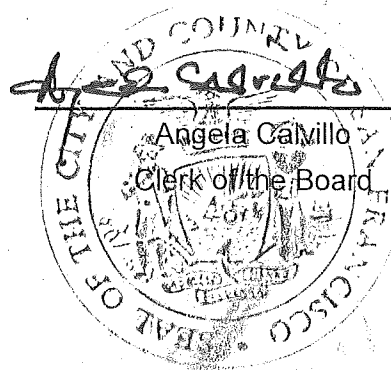
CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

June 17, 2019

Date



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11 WHEREAS, Despite progress reducing smoking, tobacco use remains the leading
12 cause of preventable death in the United States, killing more than 480,000 people each year
13 in many forms of cancer, heart disease and respiratory diseases, among other health
14 disorders which are more than AIDS, alcohol, car accidents, illegal drugs, murders and
15 suicides combined; and

16 WHEREAS, Existing law, the Stop Tobacco Access to Kids Enforcement Act, prohibits
17 a person from selling or otherwise furnishing tobacco products, as defined, to a person under
18 21 years of age; and

19 WHEREAS, Existing law prohibits the sale, distribution, or non-sale distribution of
20 tobacco products directly or indirectly to any person under 21 years of age through the United
21 States Postal Service or through any other public or private postal or package delivery service
22 at locations, including, but not limited to, public mailboxes and mailbox stores; and

23 WHEREAS, Existing law requires that any person selling or distributing or engaging in
24 the non-sale distribution of tobacco products directly to a consumer in the state through the
25 United States Postal Services or any other public or private package delivery service verify

1 that the purchaser or recipient of the product is 21 years of age by attempting to match the
2 name, address, and date of birth provided by the customer to information contained in records
3 in a database of individuals whose age has been verified to be 21 or older by reference to an
4 appropriate database of government records kept by the distributor, a direct marketing firm, or
5 any other entity; and

6 WHEREAS, According to the Journal of the American Medical Association, 96% of 15
7 to 16 year olds were able to find an internet cigarette vendor and place an order in less than
8 25 minutes, with most completing the order in seven minutes; and

9 WHEREAS, Studies have shown that nicotine exposure during adolescence can harm
10 the developing brain impacting learning, memory, attention and increasing the addition to
11 other drugs; and

12 WHEREAS, Senate Bill No. 39 will be a critical component in the efforts to restrict sales
13 of tobacco to children and youth by creating a robust age verification process; and

14 WHEREAS, Senate Bill No.39 will require tobacco products to be delivered only in a
15 container that is conspicuously labeled with the words "CONTAINS TOBACCO PRODUCTS:
16 SIGNATURE OF PERSON 21 YEARS OF AGE OR OLDER REQUIRED FOR DELIVERY;"
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18 WHEREAS, Senate Bill No. 39 will also require before completing delivery, a seller,
19 distributor, or non-sale distributor to obtain the signature of a person 21 years of age or older
20 upon the delivery of a tobacco product to a recipient's or purchaser's address; and

21 WHEREAS, Senate Bill No. 39 will permit a recipient and a purchaser to designate an
22 alternative address for delivery if the addresses have been verified; now, therefore, be it

23 RESOLVED, That the City and County of San Francisco Board of Supervisors urges
24 the California Legislature and Governor Gavin Newsom to support and pass California State
25 Senate Bill No. 39; and, be it

1 FURTHER RESOLVED, That the City and County of San Francisco Board of
2 Supervisors hereby directs the Clerk of the Board to send a copy of this resolution to the
3 Governor of the State of California, the California State Assembly, the California State Senate,
4 and California Senator Jerry Hill.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 190583

Date Passed: June 04, 2019

Resolution supporting California State Senate Bill No. 39, authored by Senator Jerry Hill and co-authored by Senators Steve Glazer and Anthony Portantino, to require tobacco products to be delivered only in a container that is conspicuously labeled as being a tobacco product that requires the signature of a person 21 years of age or older; and require before completing a delivery, a specified entity shall obtain the signature of a person 21 years of age or older upon delivering the product to the recipient's or purchaser's address, as specified.

June 04, 2019 Board of Supervisors - ADOPTED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190583

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2019 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

6/14/2019

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

6/17/2019
Date

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

June 19, 2019

The Honorable Erika Contreras
Secretary of the Senate
California State Senate
California State Capitol, Room 3044
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 273-19

Dear Secretary Contreras:


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Sincerely,


Angela Calvillo
Clerk of the Board

- c. Supervisor Shamann Walton, Member of the Board of Supervisors
Sophia Kittler, Mayor's Liaison to the Board of Supervisors
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Certified Copy

Resolution

190583 [Supporting California State Senate Bill No. 39 (Hill) - Tobacco Products]

Sponsor: Walton

Resolution supporting California State Senate Bill No. 39, authored by Senator Jerry Hill and co-authored by Senators Steve Glazer and Anthony Portantino, to require tobacco products to be delivered only in a container that is conspicuously labeled as being a tobacco product that requires the signature of a person 21 years of age or older; and require before completing a delivery, a specified entity shall obtain the signature of a person 21 years of age or older upon delivering the product to the recipient's or purchaser's address, as specified.

6/4/2019 Board of Supervisors - ADOPTED

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6/14/2019 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

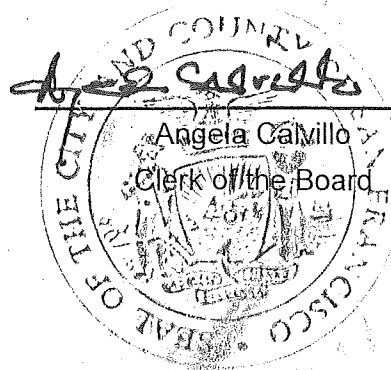
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June 17, 2019

Date



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7 to 16 year olds were able to find an internet cigarette vendor and place an order in less than
8 25 minutes, with most completing the order in seven minutes; and

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 190583

Date Passed: June 04, 2019

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June 04, 2019 Board of Supervisors - ADOPTED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190583

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Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

6/14/2019

Date Approved

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June 19, 2019

The Honorable E. Dotson Wilson
Chief Clerk of the Assembly
California State Assembly
California State Capitol, Room 3196
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 273-19

Dear Chief Clerk Wilson:

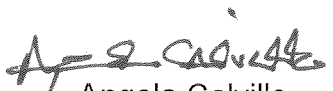
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Resolution

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Sponsor: Walton

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CITY AND COUNTY OF SAN FRANCISCO

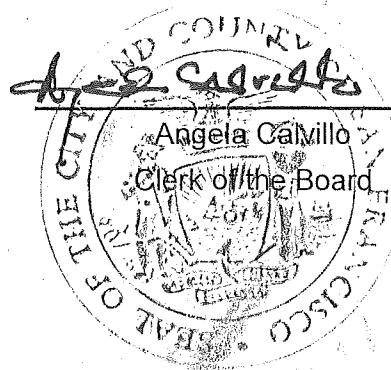
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22 at locations, including, but not limited to, public mailboxes and mailbox stores; and

23 WHEREAS, Existing law requires that any person selling or distributing or engaging in
24 the non-sale distribution of tobacco products directly to a consumer in the state through the
25 United States Postal Services or any other public or private package delivery service verify

1 that the purchaser or recipient of the product is 21 years of age by attempting to match the
2 name, address, and date of birth provided by the customer to information contained in records
3 in a database of individuals whose age has been verified to be 21 or older by reference to an
4 appropriate database of government records kept by the distributor, a direct marketing firm, or
5 any other entity; and

6 WHEREAS, According to the Journal of the American Medical Association, 96% of 15
7 to 16 year olds were able to find an internet cigarette vendor and place an order in less than
8 25 minutes, with most completing the order in seven minutes; and

9 WHEREAS, Studies have shown that nicotine exposure during adolescence can harm
10 the developing brain impacting learning, memory, attention and increasing the addition to
11 other drugs; and

12 WHEREAS, Senate Bill No. 39 will be a critical component in the efforts to restrict sales
13 of tobacco to children and youth by creating a robust age verification process; and

14 WHEREAS, Senate Bill No.39 will require tobacco products to be delivered only in a
15 container that is conspicuously labeled with the words "CONTAINS TOBACCO PRODUCTS:
16 SIGNATURE OF PERSON 21 YEARS OF AGE OR OLDER REQUIRED FOR DELIVERY;"
17 and

18 WHEREAS, Senate Bill No. 39 will also require before completing delivery, a seller,
19 distributor, or non-sale distributor to obtain the signature of a person 21 years of age or older
20 upon the delivery of a tobacco product to a recipient's or purchaser's address; and

21 WHEREAS, Senate Bill No. 39 will permit a recipient and a purchaser to designate an
22 alternative address for delivery if the addresses have been verified; now, therefore, be it

23 RESOLVED, That the City and County of San Francisco Board of Supervisors urges
24 the California Legislature and Governor Gavin Newsom to support and pass California State
25 Senate Bill No. 39; and, be it

1 FURTHER RESOLVED, That the City and County of San Francisco Board of
2 Supervisors hereby directs the Clerk of the Board to send a copy of this resolution to the
3 Governor of the State of California, the California State Assembly, the California State Senate,
4 and California Senator Jerry Hill.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 190583

Date Passed: June 04, 2019

Resolution supporting California State Senate Bill No. 39, authored by Senator Jerry Hill and co-authored by Senators Steve Glazer and Anthony Portantino, to require tobacco products to be delivered only in a container that is conspicuously labeled as being a tobacco product that requires the signature of a person 21 years of age or older; and require before completing a delivery, a specified entity shall obtain the signature of a person 21 years of age or older upon delivering the product to the recipient's or purchaser's address, as specified.

June 04, 2019 Board of Supervisors - ADOPTED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190583

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2019 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

6/14/2019

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

6/17/2019
Date