

Tobacco Retailer Licensing Is Effective

September 2006

Several years ago tobacco control advocates in California launched a new effort to end illegal sales of tobacco to minors. The strategy was to pass strong local tobacco retailer licensing ordinances. Seventeen communities have passed strong ordinances so far, and more are on the way. What distinguishes these new ordinances from earlier, weaker versions is licensing fees high enough to fund strong enforcement programs. Currently, strong local licensing ordinances around California have fees between \$200-300 per retailer.

Enough time has now passed for some of these communities to have implemented their licensing program and to evaluate the effectiveness of the program in deterring sales of tobacco to minors. The results overwhelmingly demonstrate that tobacco retailer licensing with strong enforcement provisions is effective. Rates of illegal tobacco sales to minors have decreased in California communities which have passed strong tobacco retailer licensing ordinances. In many communities, the reductions are quite dramatic.

Previous laws were unsuccessful because the fees were not set high enough to fund an effective enforcement program that included compliance checks. In addition, punishments in previous laws were not significant enough to serve as a deterrent. Strong licensing ordinances include financial deterrents through fines and penalties that include the suspension and revocation of the license. To learn more about drafting an effective tobacco retailer licensing ordinance contact Randy Kline at the Technical Assistance Legal Center (TALC) at 510-444-8252 or rkline@phi.org.

YOUTH TOBACCO SALES DECLINE IN COMMUNITIES WITH STRONG TOBACCO RETAIL LICENSING LAWS

Berkeley

\$300 annual fee
Adopted December 2002
Rates dropped from 38% to 5.8%

City of Sacramento

\$300 annual fee
Adopted March 2004
Rates dropped from 27% to 7%

Contra Costa County

\$160 annual fee
Adopted January 2003
Rates dropped from 37% to 7%

Sacramento County

\$287 annual fee
Adopted May 2004
Rates dropped from 20.6% to 10.6%

Elk Grove

\$270 annual fee
Adopted September 2004
Rates dropped from 17% to 10%

City of San Luis Obispo

\$255 annual fee
Adopted August 2003
Rates dropped from 17% to 2%

Pasadena

\$135 annual fee
Adopted January 2004
Rates dropped from 19% to 5%

* Pre- and post- rates of illegal tobacco sales to minors were determined by youth purchase surveys administered by local agencies. (For more information, contact the local tobacco control program.)