

# California bill would ban single-use vapes. Lawmaker cites risks to health, safety, environment

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Andrew Sheeler

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## Capitol Alert

By [Andrew Sheeler](#)

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Rows of flavored tobacco vape juice, including varieties banned by Proposition 31, are displayed on the wall of a central Fresno smoke shop as seen on Oct. 18, 2023. MAREK WARSZAWSKI [marekw@fresnobee.com](mailto:marekw@fresnobee.com)

*Good morning and welcome to the A.M. Alert!*

## CALIFORNIA BILL WOULD BAN DISPOSABLE VAPES

Disposable e-cigarettes, also known as disposable vapes, aren't just a threat to public health, advocates argue. They're also a threat to public safety and the environment.

Disposable vapes, intended to be thrown away once used, come with a highly flammable lithium ion battery that poses a risk for garbage trucks and waste processing facilities, said **Joe La Mariana** of the group **RethinkWaste** at a Wednesday press conference.

Enter **AB 762**, authored by Assemblymember **Jacqui Irwin**, D-Thousand Oaks.

Irwin's bill would ban the sale of all single-use vapes in the state, and provides cities, counties and the state with the legal teeth to enforce that ban with fines starting at \$500 per violation.

"Disposable vapes are ruining our beaches, environment, and public health," Irwin said in a statement announcing the bill.

AB 762 marks a further incremental increase in California's crackdown on nicotine products. California already bans the sale of most flavored tobacco products (established with **SB 793** in 2020 and strengthened in 2023 by **AB 935**).

AB 762 is sponsored by RethinkWaste, as well as **Californians Against Waste**, the **California Product Stewardship Council** and **CALPIRG**.

"Disposable vapes have become the new poster child for our single-use, throwaway society," CALPIRG's **Fiona Hines** said in a statement. "Some of these vapes come with digital touch-screens, even though they're designed to be thrown out after a week."

Critics of those past laws have included the **California Fuels and Convenience Alliance** — the gas station lobby — which argued that the Golden State's crackdown on vaping has led to haphazard enforcement as different jurisdictions have different enforcement standards, leaving retailers struggling to comply.

It remains to be seen whether that group or others, including the well-funded tobacco lobby, will fight AB 762 as it works its way through the committee process.

## **LJC DECLARES 'VICTORY' IN PARENTAL NOTIFICATION CASE**

Libertarian legal defense group the **Liberty Justice Center** this week "has declared a victory for parents rights."

It said that the **California Attorney General's Office** failed to appeal a **San Bernardino County Superior Court** judge's ruling upholding the **Chino Valley Unified School District's** modified parental notification policy by the mandatory deadline.

But the victory is tempered somewhat, by the fact that the district rolled back the most controversial provision of that policy.

The policy required school employees to notify parents if their student began using a different name or pronouns while at school or accessed gender-segregated facilities that differed from their sex assigned at birth, a policy which critics blasted as "forced outing" of transgender and nonbinary students against their will.

Instead, the modified policy simply states that school administrators must inform parents within three days if their child requests changes to their official or unofficial records. The judge had ruled that the modified policy did not infringe students' privacy rights.

With the deadline to appeal now passed, the case is now closed and that ruling stands.

"We are proud to have defended Chino Valley's parental notification policy, and look forward to continuing our ever-expanding legal battle for Californian families' rights," said Liberty Justice Center's **Emily Rae** in a statement.

Reached for comment, the attorney general's office released a statement that it has secured a final judgment against the school district to prevent it "from ever adopting another forced outing policy."

"It is categorically false that the State of California failed to appeal as the Liberty Center should have filed an appeal to the court's decision. By not appealing, Chino Valley Unified must adhere to the permanent injunction and declaratory relief," the statement said.

## **NEW STUDY SHATTERS HOMELESSNESS STEREOTYPE**

A new study published in the medical journal **JAMA** reveals that a commonly held stereotype for unhoused people — that they are drug addicts — is inaccurate.

The study, from the **University of California, San Francisco** (UCSF), surveyed more than 3,200 adults experiencing homelessness, and fewer than half (only 42%) were abusing drugs before they became homeless, and just 37% said they regularly used drugs in the last six months. A quarter said they had never used drugs in their lives.

But while drug use isn't necessarily a cause for homelessness, it is a symptom of it — 23% of respondents said they began using drugs after they became homeless for the first time.

The public's perception of unhoused people is even less accurate than that, however. While politicians and pundits pound podiums over the dangers of opioids like fentanyl, just 10% of those surveyed said they used opioids regularly. More, 33%, used drugs like methamphetamine.

"People, particularly those who are unsheltered, may use meth to help them stay alert in unstable situations," the researchers said, in a statement announcing the study.

Andrew Sheeler covers California's unique political climate for The Sacramento Bee. He has covered crime and politics from interior Alaska to North Dakota's oil patch to the rugged coast of southern Oregon. He attended the University of Alaska Fairbanks.

