

ChangeLabSolutions



Calculating Tobacco Retailer Licensing (TRL) Fees



Presented by
Raymond Leung, Staff Attorney
ChangeLab Solutions

Recorded on
November 13, 2014

DISCLAIMER

The information provided in this discussion is for informational purposes only, and does not constitute legal advice. ChangeLab Solutions does not enter into attorney-client relationships.

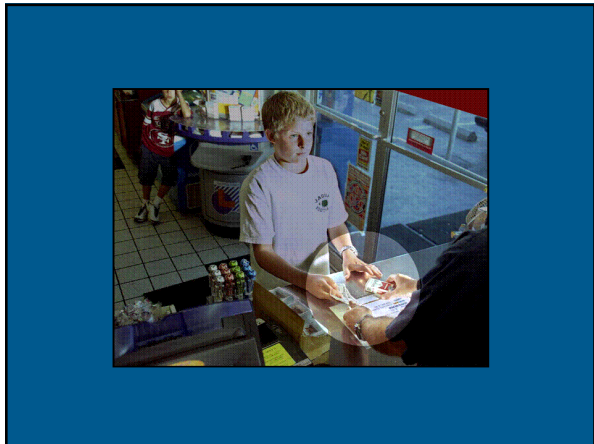
ChangeLab Solutions is a non-partisan, nonprofit organization that educates and informs the public through objective, non-partisan analysis, study, and/or research. The primary purpose of this discussion is to address legal and/or policy options to improve public health. There is no intent to reflect a view on specific legislation.

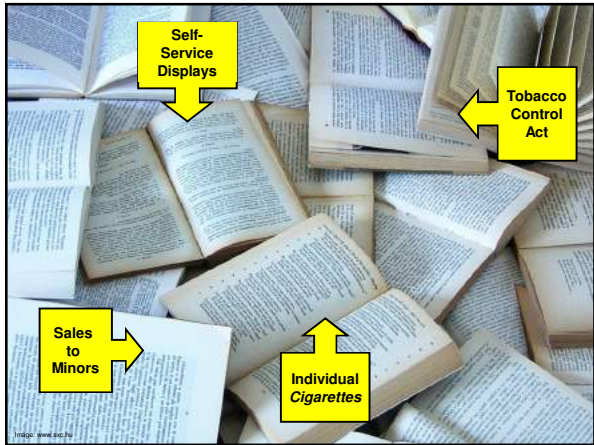
© 2014 ChangeLab Solutions

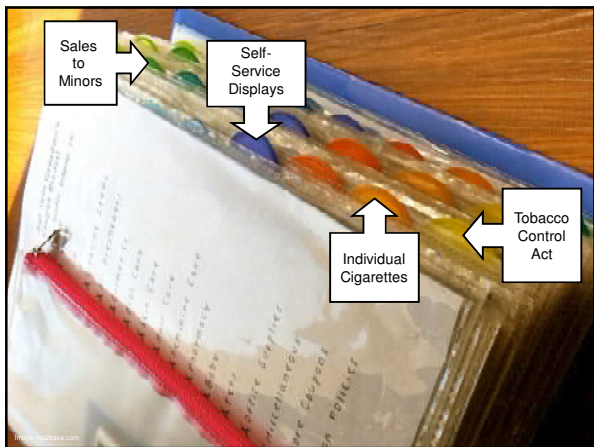
AGENDA

- TRL Overview
- TRL Fees
- TRL Fee Calculator
- Voice From the Field:

Dawn Dunn, Coordinator
Tobacco Control Settlement Program
Santa Barbara County







TRL: The Basics

- 1. All retailers must obtain a **non-transferable** license, **renewed annually**
- 2. Licensing **fee** covers administrative and enforcement costs
- 3. Violating any **tobacco control law** is a violation of the license
- 4. Meaningful penalties: **suspension + revocation**



TRL Plug-ins

Eligibility Plug-ins

Requirements and Prohibitions

CITY OF CERRITOS
TOBACCO RETAILER'S LICENSE APPLICATION

This Application is for (Check one)
 New License
 Annual Renewal
 Renewing a Revoked License
 Change of Ownership

BUSINESS INFORMATION

Business Name _____ Phone Number _____
 Business Address _____
 Business City/State/Zip _____
 Business License Number _____
 City of Cerritos Business License Number _____

OWNER INFORMATION

RULES

1. YOU CAN....
2. YOU CAN'T...
3. YOU CAN...
4. YOU CAN'T

TRL Plug-ins: Eligibility

- **WHO** can sell
- **WHERE** can they sell

CITY OF CERRITOS
TOBACCO RETAILER'S LICENSE APPLICATION

This Application is for (Check one)
 New License
 Annual Renewal
 Renewing a Revoked License
 Change of Ownership

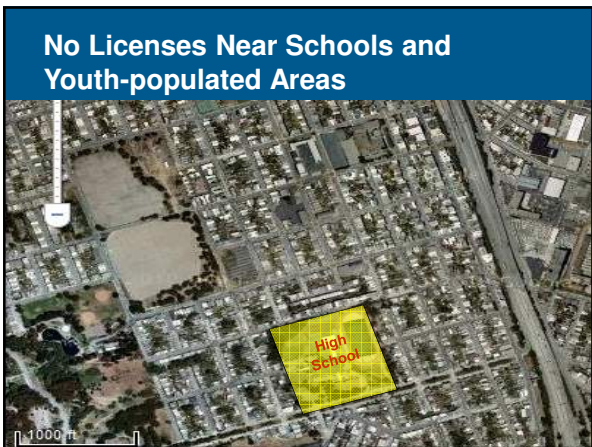
BUSINESS INFORMATION

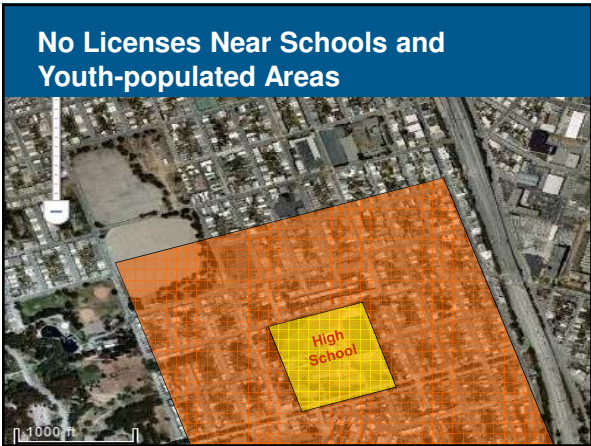
Business Name _____ Phone Number _____
 Business Address _____
 Business City/State/Zip _____
 Business License Number _____
 City of Cerritos Business License Number _____

OWNER INFORMATION







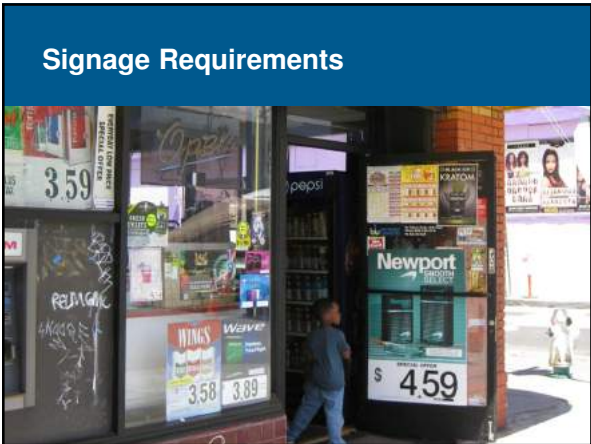


TRL Plug-ins: Requirements and Prohibitions

- **WHAT** conditions must be met for those with a license

RULES

1. YOU CAN....
2. YOU CAN'T...
3. YOU CAN....
4. YOU CAN'T



Prohibit Sale of Flavored Tobacco Products



Require Minimum Packaging for Little Cigars and Cigars



Prohibit Redemption of Tobacco Discounts and Coupons



Establish Minimum Price for Cigarettes and Little Cigars



TRL Fees Overview

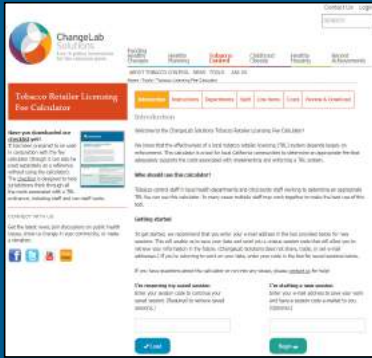
- Reasonable **administration and enforcement** costs relating to TRL
- Reasonable relationship to **burden** on TRL system



Budgeting Checklist

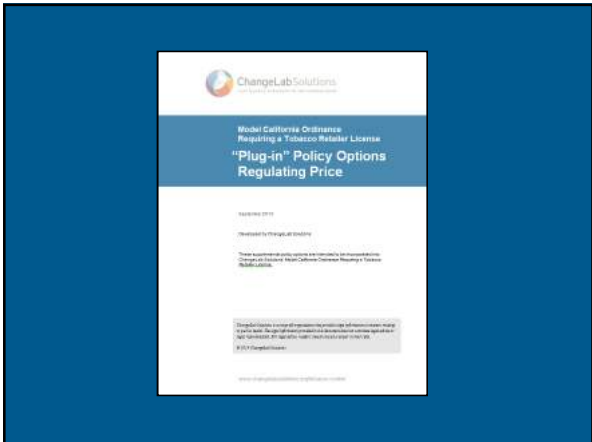


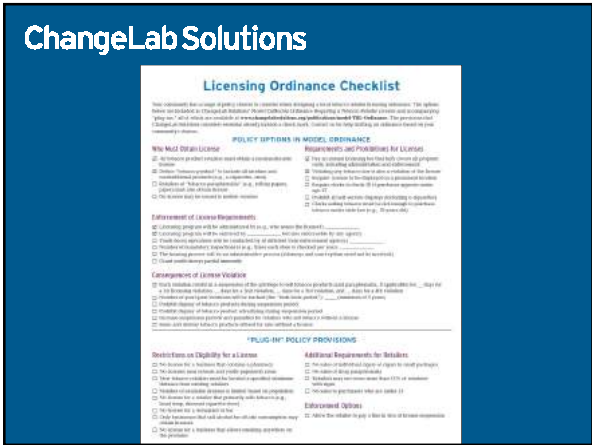
Budgeting Checklist

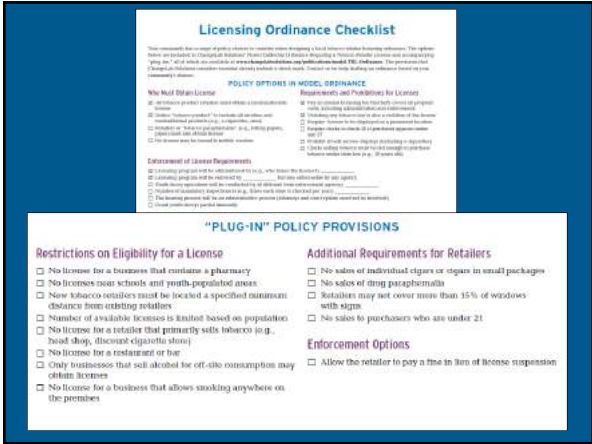


ChangeLab Solutions









ChangeLab Solutions RESOURCES

Tobacco Retailer Licensing
An Effective Tool for Public Health

"Plug-in" Policy Provisions for a Tobacco Retailer License

ChangeLab Solutions

TRL Fee Calculator

*Tobacco Retail Licensing in
Santa Barbara County*


○

FEES CAN BE FUN

November 13, 2014
Dawn M. Dunn, M.P.H.
Santa Barbara County Public Health Department

History & Evolution

- 2001 – First TRL ordinance adopted
 - The county had no general business license
 - Moderate fee set by Treasurer
 - Initial fee of \$30 a year-solely for license issuance
- 2010 & 2012 – Amended TRL ordinance
 - Required comprehensive fee study for Board of Supervisor’s approval




Excerpt from 2012 Fee Study

Task	Description	Position Title	Frequency	Hour		Rate Per Hour	Amount		Productive Hours	Annual Total
				Per Week	Per Year		Per Week	Per Year		
Unincorporated Areas										
Licensing (Annual)										
Review Applications	Review applications and issue licenses for each business	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Issue Licenses	Issue licenses for each business	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Collect Fees	Collect fees for each license	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Enforcement Operations	Enforcement operations	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Supervision (On-site for training)	Supervise and train staff on-site	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Marketing	Marketing and promotional activities	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Preparation	Preparation of reports and documents	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Construction Site Operation	Construction site operation	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Follow-up	Follow-up on construction projects	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Other Expenses	Other expenses	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Regulatory Matters	Regulatory matters	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Supervision	Supervision	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Administrative	Administrative	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Support	Support	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Permits	Permits	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
Approvals of Other Personnel/Supervisors	Approvals of other personnel/supervisors	Administrative	Once	1	1	\$25.00	\$25.00	1	\$25.00	\$25.00
TOTALS										
							600			15000
										1500
										375
										400

Details, Details, Details...

- A fee study details each step of TRL process
- Captures all costs:
 - Staffing
 - Contractors
 - Decoys
 - Mileage
 - Supplies
 - Other agencies
- Regulatory requirement for government to charge a fee



Practical & Magical



The slide features three icons: a yellow calculator with blue plus and minus signs, a yellow wand with a starburst and green swirls, and a red and black box containing a yellow question mark and a blue eye.

Benefits Abound

- Concrete basis for costs
 - Quieted opponents
 - Gained allies
- Paved the way for contracts with other cities
- Fees have augmented our revenue

TRL = Effort + Reward

Contact Information

(805) 681-5407

dawn.dunn@sbcphd.org

ChangeLabSolutions

Thank you!

Ray Leung, JD
rluong@changelabsolutions.org



Follow us on Twitter!
[@ChangeLabWorks](https://twitter.com/ChangeLabWorks)
