

CALIFORNIA DEPARTMENT OF JUSTICE

TITLE 11. LAW

DIVISION 1. ATTORNEY GENERAL

CHAPTER 5. DEPARTMENT OF JUSTICE TOBACCO GRANT PROGRAM

UPDATED INFORMATIVE DIGEST

After the initial 45-day public comment period, modifications were made to the text of the originally proposed regulations. Subsequently, notice was provided for two additional 15-day public comment periods. As a result of these modifications, the effect of the proposed rulemaking has been changed from that described in the Notice of Proposed Regulatory Action as follows.

§ 501. Definitions.

Subdivision (a): The definition of “administrative costs” was added to be the same as that term is defined in California Code of Regulations, title 2, section 61217.

Subdivisions (*l*) and (*o*): The definitions for “Minor” and “Youth” were switched. “Minor” is now defined as an individual under the legal age to purchase, possess, or use cigarettes or tobacco products. “Youth” is now defined as an individual under 18 years old.

§ 521. Project Eligibility.

This section describes the type of projects that can be funded by the Department. Subdivision (a) was revised to allow funding to be used to enforce state and local laws related to the illegal sales and marketing of Tobacco Products to Minors.

Subdivision (b) was revised to allow funding to be used to conduct investigative activities and compliance checks to reduce the illegal sales of Cigarettes and Tobacco Products to Minors and Youth.

Subdivision (c) was added to allow funding to be used to enforce state and local laws related to the illegal sales and marketing of Cigarettes to Minors.

§ 522. Eligible Costs.

Subdivision (b)(2) was revised to allow travel costs for mileage, meals, and lodging.

§ 532. Scoring of Application.

Subdivision (b) lists the five criteria used to evaluate an Application. In subdivision (b)(1), “description of the problem” was replaced with “significance of the problem.” The phrase “description of the” was deleted from subdivision (b)(2). In subdivision (b)(3), “description of the personnel” was replaced with “qualifications of the personnel.”

Subdivision (c) originally provided that there will be a minimum of zero and a maximum of seven points for each evaluation criteria listed in subdivision (b). This subdivision was deleted.

§ 533. Grant Award.

Subdivision (a) lists the factors used to determine whether a grant will be awarded for the full or partial amount requested. The Department's funding priorities were added as a fifth factor.

Subdivision (b) was revised to state that the merits review committee will submit its recommendations for funding to the Attorney General or designee for final selection.

Subdivision (c) was revised to explain that the Department's selection(s) are final and not subject to administrative appeal.

§ 542. Progress Reports.

Subdivision (a) was revised to explain that quarterly progress reports are due on January 15th, April 15th, July 15th, and October 15th.

§ 544. Project Breach-Termination.

This section was revised to allow the Department to terminate a Grant Agreement based on a Grantee's noncompliance with the terms and conditions of the Grant Agreement *or* these regulations.