

HB 517 -- TOBACCO PRODUCTS

SPONSOR: Mayhew

This bill modifies provisions of the law relating to tobacco products.

This bill updates references to the Division of Liquor Control to the Division of Alcohol and Tobacco Control within the Department of Public Safety, requires that proof of age must be verified through government-issued identification and proof of age must be requested at sale for any purchaser who appears to be under the age of 30, and amends certain definitions relating to regulation of tobacco products.

The bill raises the age for the purchase of tobacco products, alternative nicotine products, and vapor products from 18 to 21 years of age. In addition to individual packs of cigarettes or smokeless tobacco products, no tobacco products, alternative nicotine products, or vapor products may be sold except through a vending machine located in an establishment not accessible to persons under 21 years of age or unless displayed behind a checkout counter. It shall be unlawful to sell individual cigarettes to any person in the state.

Currently, no person or entity may sell cigarettes, tobacco products, alternative nicotine products, or vapor products without a retail sales tax license. This bill requires an additional license for selling, providing, or distributing tobacco products issued by the Division of Alcohol and Tobacco Control. A person or entity shall apply for such a license, and any renewal, from the Division in a manner and form as described in the bill. The Division shall conduct inspections of all licensees to ensure compliance the law.

This bill removes civil fines for individual sales clerks or operators for the sale of tobacco products to an individual under 21 years of age and removes certain liability protections for owners of the establishment where such tobacco products were sold in violation of this bill.

This bill has a delayed effective date of January 1, 2024.

This bill is similar to HB 2883 (2022).