

FIRST REGULAR SESSION

HOUSE BILL NO. 276

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROBERTS.

0709H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 196, RSMo, by adding thereto one new section relating to vapor products, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 196, RSMo, is amended by adding thereto one new section, to be known as section 196.1202, to read as follows:

196.1202. 1. As used in this section, the following terms mean:

(1) "Office", the office of the attorney general of Missouri;

(2) "Vapor product", the same meaning as defined under section 407.925.

2. (1) On or before January 1, 2026, and annually on or before each January first thereafter, every manufacturer of vapor products that are sold in this state, whether directly or through a distributor, wholesaler, retailer, or similar intermediary or intermediaries, shall certify under penalty of perjury on a form and in the manner prescribed by the attorney general that the manufacturer agrees to comply with this chapter and that:

(a) The manufacturer has received a marketing authorization or similar order for the vapor product from the United States Food and Drug Administration under 21 U.S.C. Section 387j; or

(b) The vapor product was marketed in the United States as of August 8, 2016, the manufacturer submitted a premarket tobacco product application for the vapor product to the United States Food and Drug Administration under 21 U.S.C. Section 387j on or before September 9, 2020, and the application either remains under review

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **by the United States Food and Drug Administration or a final decision on the**
18 **application is not otherwise in effect.**

19 **(2) A manufacturer shall separately list each vapor product that is sold in this**
20 **state on the certification form submitted under this subsection.**

21 **3. Each annual certification form required by subsection 2 of this section shall be**
22 **accompanied by information required by the attorney general and needed to verify that**
23 **such product may be sold in this state.**

24 **4. A manufacturer required to submit a certification form under subsection 2 of**
25 **this section shall notify the attorney general within thirty days of any material change to**
26 **the information on the certification form.**

27 **5. On or before June 1, 2026, the attorney general shall maintain and make**
28 **publicly available on the office's website a directory that lists all vapor product**
29 **manufacturers and vapor products for which certification forms have been received and**
30 **that have been determined by the attorney general to meet the requirements to sell such**
31 **vapor products.**

32 **6. The attorney general shall provide manufacturers notice and an opportunity**
33 **to cure deficiencies before removing manufacturers or products from the directory.**

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