

HCS HB 344 -- TOBACCO PRODUCTS

SPONSOR: Keathley

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Commerce by a vote of 8 to 2. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 5 to 4 with 1 voting present.

The following is a summary of the House Committee Substitute for HB 344.

This bill specifies that the state preempts the sale of tobacco products, alternative nicotine products, and vapor products, including local ordinances that deal with ingredients, setting the age to sell or purchase to 21 years and above, licensing and products bans, and supersedes any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision regulating the sale of tobacco products, alternative nicotine products, or vapor products.

The bill does not prohibit counties, municipalities, or other political subdivisions from enforcing ordinances and regulations that prevent the sale of tobacco products, alternative nicotine products and vapor products to minors as defined under state law.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that the intent of the bill is to provide consistent standards for the regulation of tobacco and nicotine products across the State. Age restrictions are also in place. The local laws that regulate the restaurants and bars are not impacted and the bill does not preclude law enforcement from enforcing the provisions. Tobacco is a lawful retail product that deserves predictability and a statewide solution. Local ordinances don't decrease consumption but they put retailers at a competitive disadvantage and create desert towns resulting in loss of revenues and shift the sale of products to other states.

Testifying in person for the bill were Representative Keathley; Hub, Inc; Missouri Grocers Association; Missouri Retailers Association; Arnie Dienoff; National Association of Tobacco Outlets; Missouri Vape and Alternative Products Association; Xcaliber International; Cigar Association of America; Maverik Convenience Stores; Missouri Wholesale Distributors; Associated

Industries of Missouri; The Hub; Missouri Petroleum and Convenience Association.

OPPONENTS: Those who oppose the bill say that tobacco is the number one cause of death and using the term "preemption" is a cheap strategy. Several counties have ordinances prohibiting tobacco usage. Local communities are uniquely positioned to address the needs of the community and they should be responsible to their constituents. Local authority should not be taken away.

Testifying in person against the bill were American Lung Association in Missouri; American Heart Association; Missouri State Medical Association; Missouri Public Health Association; Missouri Academy of Family Physicians; American Cancer Society Cancer Action Network; Stanley R. Cowen; City of Kansas City; Greater Kansas City Chamber of Commerce.

OTHERS: Others testifying on the bill say that there is a concern with the sale of products to minors.

Testifying in person on the bill was Missouri Municipal League.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.