

HCS HB 2085 -- TOBACCO PRODUCTS

SPONSOR: Keathley

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Commerce by a vote of 9 to 1. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 8 to 1.

The following is a summary of the House Committee Substitute for HB 2085.

This bill specifies that the State of Missouri must preempt the sale of tobacco products, alternative nicotine products, and vapor products.

This preemption will include local ordinances that deal with:

- (1) Ingredients;
- (2) Setting the age to sell or purchase at 21 years of age and above; and
- (3) Licensing and products bans.

In addition, existing state regulations on the sale of tobacco products to minors found in Sections 407.924 through 407.934, RSMo, will supersede 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 or regulations that set the age to sell or purchase tobacco products, alternative nicotine products, and vapor products to individuals under 21 years of age.

This bill will not apply to any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision prior to January 1, 2026.

This bill is similar to HB 344 (2025); HB 2060 (2024); HB 1039 (2023); and SB 522 (2023).

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

PROPOSERS: Supporters say that the intent of the bill is to provide consistent standards for the regulation for the sale of tobacco and nicotine products across the State. Age restrictions are also in place. The local laws and zoning ordinances that regulate the restaurants and bars are not impacted and the bill does not preclude law enforcement from enforcing the provisions. This bill protects public health and small businesses.

Testifying in person for the bill were Representative Keathley; Hub, Inc; Maverik Convenience Stores; Missouri Petroleum & Convenience Assn. (MPCA); Associated Industries of Missouri; Casey's General Stores; MO Vape & Alternative Products Association; Kenny Dobson, Ware Brands; Warrenton Oil Company; MO Grocers Association; Missouri Retailers Association; MO Petroleum Marketers Association; and Arnie C. Dienoff.

OPPOSERS: Those who oppose the bill say that tobacco is the number one cause of death and using the term "preemption" is controversial. The bill will affect local ordinances related to zoning. 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 Heart Association; and American Cancer Society Cancer Action Network.

OTHERS: Others testifying on the bill say the consumption of vapor and nicotine products lead to health issues and the sales tax on vaping products is different than tobacco products.

Testifying in person on the bill was Jennifer Bean, MOST Policy Initiative.

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.