



# House of Representatives

General Assembly

**File No. 359**

February Session, 2018

House Bill No. 5293

*House of Representatives, April 10, 2018*

The Committee on Public Health reported through REP. STEINBERG of the 136th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2018*) A retailer of electronic  
2 nicotine delivery systems, as defined in section 19a-342a of the general  
3 statutes, or vapor products, as defined in said section, shall comply  
4 with the requirements set forth in 21 CFR 1140.14 and 21 CFR 1140.16,  
5 as amended from time to time, for a direct, face-to-face exchange  
6 between a retailer and the consumer in the sale of cigarettes and  
7 smokeless tobacco products when the retailer is selling such electronic  
8 nicotine delivery systems or vapor products.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2018</i>	New section
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**PH** Joint Favorable

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which makes a requirement for the sale of electronic nicotine delivery systems/vapor products, is not anticipated to result in a fiscal impact to the state or municipalities.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****HB 5293*****AN ACT CONCERNING THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS.*****SUMMARY**

This bill requires retailers of e-cigarettes (i.e., electronic nicotine delivery systems or vapor products) to sell them to consumers only in direct, face-to-face transactions, as federal regulations require for the sale of cigarettes and smokeless tobacco products (21 C.F.R. §§ 1140.14 and 1140.16).

In doing so, the bill prohibits e-cigarette sales (1) online or (2) through self-service displays or vending machines, except in facilities where the retailer ensures that no person under age 18 is present, or permitted to enter, at any time.

Existing law, unchanged by the bill, prohibits selling e-cigarettes to minors.

EFFECTIVE DATE: October 1, 2018

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable

Yea 16      Nay 10      (03/26/2018)