



General Assembly

Amendment

January Session, 2021

LCO No. 8467



Offered by:

REP. LINEHAN, 103rd Dist.
SEN. ANWAR, 3rd Dist.
REP. WELANDER, 114th Dist.
REP. CANDELORA, 86th Dist.

To: Subst. House Bill No. **6110**

File No. 150

Cal. No. 139

(As Amended by House Amendment Schedule "A")

"AN ACT CONCERNING THE ONLINE SALE AND DELIVERY OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS."

1 Strike section 501 of Senate Amendment Schedule "A" and substitute
2 the following in lieu thereof:

3 "Sec. 501. Subsection (a) of section 21a-415 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July 1,*
5 *2021*):

6 (a) As used in this chapter and section 53-344:

7 (1) "Authorized owner" means the owner or authorized designee of a
8 business entity that is applying for a registration or is registered with

9 the Department of Consumer Protection pursuant to this chapter;

10 (2) "Business entity" means any corporation, limited liability
11 company, association, partnership, sole proprietorship, government,
12 governmental subdivision or agency, business trust, estate, trust or any
13 other legal entity;

14 (3) "Dealer registration" means an electronic nicotine delivery system
15 certificate of dealer registration issued by the Commissioner of
16 Consumer Protection pursuant to this section;

17 (4) "Manufacturer registration" means an electronic nicotine delivery
18 system certificate of manufacturer registration issued by the
19 Commissioner of Consumer Protection pursuant to section 21a-415a to
20 any person who mixes, compounds, repackages or resizes any nicotine-
21 containing electronic nicotine delivery system or vapor product;

22 (5) "Electronic cigarette liquid" means a liquid, including, but not
23 limited to, a concentrated plant extract or oil containing natural or
24 synthetic ingredients, that, when used in an electronic nicotine delivery
25 system or vapor product, produces a vapor that may or may not include
26 nicotine and [is] may be inhaled by the user of such electronic nicotine
27 delivery system or vapor product;

28 (6) "Electronic nicotine delivery system" means an electronic device
29 used in the delivery of nicotine or other substances to a person inhaling
30 from the device, and includes, but is not limited to, an electronic
31 cigarette, electronic cigar, electronic cigarillo, electronic pipe or
32 electronic hookah and any related device and any cartridge or other
33 component of such device, including, but not limited to, electronic
34 cigarette liquid;

35 (7) "Vapor product" means any product that employs a heating
36 element, power source, electronic circuit or other electronic, chemical or
37 mechanical means, regardless of shape or size, to produce a vapor that
38 may include nicotine and is inhaled by the user of such product. "Vapor
39 product" does not include a medicinal or therapeutic product that is (A)

40 used by a licensed health care provider to treat a patient in a health care
 41 setting, (B) used by a patient, as prescribed or directed by a licensed
 42 health care provider in any setting, or (C) any drug or device, as defined
 43 in the federal Food, Drug and Cosmetic Act, 21 USC 321, as amended
 44 from time to time, any combination product, as described in said act, 21
 45 USC 353(g), as amended from time to time, or any biological product, as
 46 described in 42 USC 262, as amended from time to time, and 21 CFR
 47 600.3, as amended from time to time, authorized for sale by the United
 48 States Food and Drug Administration;

49 (8) "Sale" or "sell" means an act done intentionally by any person,
 50 whether done as principal, proprietor, agent, servant or employee, of
 51 transferring, or offering or attempting to transfer, for consideration,
 52 including bartering or exchanging, or offering to barter or exchange; and

53 (9) "Deliver" or "delivering" means an act done intentionally by any
 54 person, whether as principal, proprietor, agent, servant or employee, of
 55 transferring, or offering or attempting to transfer, physical possession
 56 or control of an electronic nicotine delivery system or vapor product."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2021	21a-415(a)