



General Assembly

Amendment

January Session, 2021

LCO No. 8457



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

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

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- 1 In line 38, strike "thirty-day" and insert in lieu thereof "one month"
- 2 After the last section, add the following and renumber sections and
- 3 internal references accordingly:
- 4 "Sec. 501. Subsection (a) of section 21a-415 of the general statutes is
- 5 repealed and the following is substituted in lieu thereof (*Effective July 1,*
- 6 *2021*):
- 7 (a) As used in this chapter and section 53-344:
- 8 (1) "Authorized owner" means the owner or authorized designee of a
- 9 business entity that is applying for a registration or is registered with
- 10 the Department of Consumer Protection pursuant to this chapter;

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

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

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

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

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

36 (7) "Vapor product" means any product that employs a heating
37 element, power source, electronic circuit or other electronic, chemical or
38 mechanical means, regardless of shape or size, to produce a vapor that
39 may include nicotine and is inhaled by the user of such product. "Vapor
40 product" does not include a medicinal or therapeutic product that is (A)
41 used by a licensed health care provider to treat a patient in a health care
42 setting, (B) used by a patient, as prescribed or directed by a licensed

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

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

54 (9) "Deliver" or "delivering" means an act done intentionally by any
 55 person, whether as principal, proprietor, agent, servant or employee, of
 56 transferring, or offering or attempting to transfer, physical possession
 57 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)