

Bill No.: HB0174 **Effective:** 7/1/2015

LSO No.: 15LSO-0341

Enrolled Act No.: HEA 79

Chapter No.: 143

Prime Sponsor: Walters

Catch Title: Nicotine products regulation.

Subject: Requiring education materials for tobacco products and child resistant packaging for liquid nicotine containers

Summary/Major Elements:

- Under current law, the Department of Health is required to implement comprehensive tobacco prevention, cessation and treatment programs. As part of these programs, the Department of Health must now provide peer reviewed science-based educational materials on tobacco harm reduction and the comparative risks of alternative nicotine products, which include vapor products, smokeless tobacco products, cigarettes and other combustible tobacco products.
 - The bill creates definitions for alternative nicotine product, smokeless tobacco product, tobacco product and vapor product.
- This bill requires that liquid nicotine containers must be sold in child resistant packaging and is enforced by the Consumer Health Services Division of the Department of Agriculture. However, the division's inspection and enforcement duties may be performed by a county or local department of health if it has a memorandum of understanding for inspections.
- The bill makes it a misdemeanor for any person to sell liquid nicotine containers that are not in child resistant packaging. The penalty is a fine of not more than \$750 for the first violation and by a fine of not more than \$1,500 for each subsequent violation.

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