State Tobacco 21 Legislation

This report provides a summary of proposed (not yet passed or enacted) tobacco 21 legislation from the following states: Florida, Indiana, Iowa, Kentucky, Louisiana, Maryland, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, and West Virginia.

Bills by State

**Bill State: FL (1)**

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<tr>
<th>State</th>
<th>Bill Number</th>
<th>Last Action</th>
<th>Status</th>
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<tbody>
<tr>
<td>FL</td>
<td>SB 1618</td>
<td>On Committee Agenda Rules 04 23 19 2 00 Pm 110 Senate Building 2019 04 18</td>
<td>In Senate</td>
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</table>

**Title**
Tobacco Products:

**Description**
Citing this act as the "Tobacco 21 Act"; revising shipping documentation requirements for specified sales of tobacco products; deleting provisions requiring driver license penalties for certain persons who commit tobacco-related offenses; revising the age under which it is unlawful to smoke in, on, or near school property; revising the age limitation that applies to the sale, delivery, bartering, furnishing, or giving of certain tobacco products, etc.

**Primary Sponsors**
David Simmons, Senate Committee on Innovation, Industry, and Technology

**Bill State: IA (2)**

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<th>State</th>
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<tbody>
<tr>
<td>IA</td>
<td>SF 66</td>
<td>Subcommittee Recommends Passage 2019 01 31</td>
<td>In Senate</td>
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</table>

**Title**
A bill for an act establishing the minimum age relative to various activities relating to vapor products, and making penalties applicable.

**Primary Sponsors**
Tom Shipley
Title
A bill for an act relating to tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes, including establishing a minimum age for activities relative to these products, and making penalties applicable.

Primary Sponsors
Claire Celsi

Title
Tobacco issues.

Description
Increases the cigarette tax from $0.995 per pack to $1.995 per pack. Raises the age from 18 years of age to 21 years of age for prohibitions and crimes concerning the sale, purchase, and possession of cigarettes and other tobacco products. Makes a corresponding change to the laws concerning electronic cigarettes, tobacco retailer permits, and admission to establishments where smoking is permitted. Repeals employment protections for individuals who smoke cigarettes or use other tobacco products.

Primary Sponsors
Lisa Beck, Mike Aylesworth
Title
Minimum age to purchase tobacco and e-liquids.

Description
With certain exceptions, raises from 18 to 21 years the age at which a person may: (1) sell or buy tobacco products or e-liquids and electronic cigarettes containing nicotine; and (2) enter designated smoking areas of a club or cigar specialty store. Allows a person who is at least 18 years of age on June 30, 2019, to continue to hold a valid tobacco retailer permit until it expires. Allows a person who is: (1) at least 18 years of age on June 30, 2019; or (2) at least 18 years of age and serving in the armed forces or reserves or a veteran discharged or separated from service in the armed forces or reserves under conditions other than dishonorable; to buy tobacco products or e-liquids and electronic cigarettes containing nicotine and enter designated smoking areas of a club or cigar specialty store. Prohibits a person who is less than 18 years of age from buying or possessing e-liquids or electronic cigarettes that do not contain nicotine. Makes changes regarding notices posted at tobacco and electronic cigarette retail establishments and at cigarette vending machines.

Primary Sponsors
Randy Head, Jim Merritt, Ed Charbonneau

Bill State: KY (1)

Title
AN ACT relating to the sale of tobacco products.

Description
Amend KRS 438.305 to define "proof of age"; amend KRS 438.310 to restrict the sale of tobacco and vapor products to persons under the age of 21; amend KRS 438.311 to make it unlawful for persons under 21 to buy tobacco or vapor products; amend KRS 438.313 to restrict the wholesale, retail, or manufacturer distribution of tobacco or vapor products to persons under 21; amend KRS 438.315 to raise the minimum age for vending machine sales of tobacco or vapor products; amend KRS 438.325 to establish new age limits regarding tobacco or vapor product retail notifications; amend KRS 438.330 to set new tobacco and vapor product enforcement standards; amend KRS 438.350 regarding possession of tobacco or vapor products by a person under age 21.

Primary Sponsors
Steve Meredith

Bill State: LA (1)
<table>
<thead>
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<th>State</th>
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<tbody>
<tr>
<td>LA</td>
<td>HB 38</td>
<td>Read By Title Under The Rules Referred To The Committee On Administration Of Criminal Justice 2019 04 08</td>
<td>In House</td>
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</table>

**Title**
CRIME: Raises the minimum age relative to the distribution, sale, purchase, or possession of tobacco products, alternative nicotine products, or vapor products

**Primary Sponsors**
Frank Hoffmann

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**Bill State: MD (3)**

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<thead>
<tr>
<th>State</th>
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<tr>
<td>MD</td>
<td>HB 1169</td>
<td>Passed Enrolled 2019 04 03</td>
<td>Passed Senate</td>
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**Title**
Business Regulation - Tobacco Products and Electronic Smoking Devices - Revisions

**Description**
Requiring certain licensees to post a certain sign in a certain location; altering the minimum age, from 18 to 21, for an individual to purchase or be sold tobacco products; exempting certain individuals from a certain minimum age requirement for an individual to purchase or be sold tobacco products; authorizing the Maryland Department of Health to conduct inspections of licensed retailers; authorizing the Department to use certain individuals under the age of 21 years to assist in conducting a certain inspection; etc.

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<tr>
<td>MD</td>
<td>SB 378</td>
<td>First Reading Finance And Judicial Proceedings 2019 01 31</td>
<td>Failed sine die</td>
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**Title**
Tobacco Products and Electronic Nicotine Delivery Systems - Minimum Age and Civil Fines

**Description**
Altering certain provisions of law to prohibit a certain person from distributing a certain tobacco product or electronic nicotine delivery system to an individual under the age of 21 years, rather than to a minor; prohibiting a person from distributing a certain tobacco product or electronic nicotine delivery system without first examining a government-issued photographic identification of a certain purchaser or recipient in order to determine the date of birth of the prospective purchaser or recipient; etc.

**Primary Sponsors**
Delores Kelley
Title
Business Regulation - Tobacco Products and Electronic Smoking Devices - Revisions

Description
Requiring certain licensees to post a certain sign in a certain location; altering the minimum age, from 18 to 21, for an individual to purchase or be sold tobacco products; authorizing the Maryland Department of Health to conduct certain inspections of licensed retailers; authorizing the Department to use individuals under the age of 21 years to assist in conducting a certain inspection; exempting certain individuals from a certain minimum age requirement for an individual to purchase or be sold tobacco products; etc.

Primary Sponsors
Delores Kelley
Title
Mississippi Tobacco Minimum Legal Sale Age of 21 Act; create.

Description
An Act To Be Known As The "Mississippi Tobacco Minimum Legal Sale Age Of 21 Act"; To Make Certain Legislative Findings Regarding The Effects Of Tobacco Use By Minors; To Define Certain Terms; To Prohibit The Sale Or Distribution Of Tobacco Products To Persons Under The Age Of 21; To Require Distributors To Verify The Age Of The Recipients Before Distributing Any Tobacco Product; To Require Tobacco Sellers To Post Signs About The Age Restriction On Tobacco Sales; To Authorize The State Department Of Health To Conduct Random, Unannounced Inspections To Test And Ensure Compliance With This Act; To Provide For Penalties For Violations Of This Act; To Provide For Certain Exceptions And Defenses; To Amend Sections 97-32-5, 97-32-7, 97-32-9, 97-32-11, 97-32-13, 97-32-15, 97-32-21, 97-32-27 And 97-32-51, Mississippi Code Of 1972, To Conform To The Preceding Provisions; And For Related Purposes.

Primary Sponsors
Bryant Clark

Title
Tobacco products; revise minimum age required to purchase.

Description
An Act To Amend Sections 97-32-5, 97-32-7, 97-32-9, 97-32-11, 97-32-13, 97-32-21, 97-32-27 And 97-32-51, Mississippi Code Of 1972, To Raise To Twenty-One Years Old The Minimum Age Required In Order For A Person To Purchase Tobacco Products; And For Related Purposes.

Primary Sponsors
Deborah Dixon

Bill State: NE (1)

Title
Change provisions relating to vapor products

Primary Sponsors
Dan Quick
<table>
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<tr>
<th>State</th>
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<td>NH</td>
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<td>Rereferred To Committee Rc 18 Y 6 N Ma 03 07 2019 Sj 7 2019 03 07</td>
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<td>NJ</td>
<td>A 4896</td>
<td>Assembly Floor Amendment Passed Johnson 2019 02 25</td>
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<td>NJ</td>
<td>S 3444</td>
<td>Introduced In The Senate Referred To Senate Health Human Services And Senior Citizens Committee 2019 02 07</td>
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<td>NM</td>
<td>SB 60</td>
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</table>

**Title**

*increasing the age for sales and possession of tobacco products.*

**Primary Sponsors**

David Watters

**Bill State: NJ (2)**

**Title**

*Prohibits delivery of electronic smoking devices and tobacco products to individuals under 21 years of age.*

**Primary Sponsors**

Herb Conaway, John Armato, Valerie Vainieri Huttle

**Bill State: NM (2)**

**Title**

*NO TOBACCO PRODUCT PURCHASES UNDER AGE 21*

**Primary Sponsors**

Cisco McSorley
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<th>State</th>
<th>Bill Number</th>
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<td>NM</td>
<td>SB 342</td>
<td>Action Postponed Indefinitely 2019 03 14</td>
<td>Failed</td>
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**Title**  
NO TOBACCO PRODUCT PURCHASES UNDER AGE 21

**Primary Sponsors**  
Linda Lopez

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**Bill State: NV (1)**

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<td>NV</td>
<td>AB 470</td>
<td>Pursuant To Joint Standing Rule No 14 3 1 No Further Action Allowed 2019 04 13</td>
<td>In Assembly</td>
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**Title**  
Revises provisions relating to public health. (BDR 15-813)

**Description**  
AN ACT relating to public health; revising provisions relating to the areas in which smoking is prohibited; revising provisions relating to the public policy of this State pertaining to smoking; raising the minimum age of persons to whom cigarettes, cigarette paper, tobacco, products made or derived from tobacco or other tobacco products may be sold; revising certain definitions relating to smoking; making various other changes relating to smoking; providing penalties; and providing other matters properly relating thereto.

**Primary Sponsors**  
Assembly Committee on Health and Human Services

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**Bill State: OK (1)**

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<td>HB 1432</td>
<td>Second Reading Referred To Public Health 2019 02 05</td>
<td>In House</td>
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**Title**  
Tobacco; prohibiting sale of tobacco and vapor products to persons under twenty-one years of age; effective date.

**Primary Sponsors**  
Ben Loring

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**Bill State: PA (1)**
Title
An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for sale of tobacco.

Primary Sponsors
Marty Flynn

Title
An Act Relating To Criminal Offenses -- Tobacco And Nicotine Products--Children (Provides Certain Restrictions On The Sale Of Tobacco Products, Enhance The Definition Of "Tobacco Products", And Would Raise The Minimum Age To Purchase Tobacco Products And Nicotine Delivery Systems From 18 To 21 Years Of Age)

Primary Sponsors
Teresa Tanzi, Justine Caldwell, Terri-Denise Cortvriend, Christopher Millea, Liana Cassar

Title
An Act Relating To Criminal Offenses -- Tobacco And Nicotine Products--Children (Provides Certain Restrictions On The Sale Of Tobacco Products, Enhance The Definition Of "Tobacco Products", And Raises The Minimum Age To Purchase Tobacco Products And Nicotine-Delivery Systems From 18 To 21 Years Of Age.)

Primary Sponsors
Cynthia Coyne, Dominick Ruggerio, Frank Lombardo, Susan Sosnowski, Hanna Gallo

Bill State: RI (2)
Title
Tobacco and alternative nicotine products

Description
A Bill To Amend Section 16-17-500, Code Of Laws Of South Carolina, 1976, Relating To The Sale, Purchase, And Distribution Of Tobacco Products And Alternative Nicotine Products, So As To Prohibit The Sale, Furnishing, Or Provision Of Cigarettes Or Alternative Nicotine Products To A Person Under Twenty-One Years Of Age, And To Prohibit A Person Who Is Under Twenty-One Years Of Age From Purchasing, Possessing, Attempting To Possess, Or Presenting A False Or Fraudulent Proof Of Age For Purposes Of Purchasing Or Possessing Tobacco Products Or Alternative Nicotine Products; To Amend Section 16-17-502, Relating To The Distribution Of Tobacco Product Or Alternative Nicotine Product Samples, So As To Prohibit The Distribution Of Tobacco Product Or Alternative Nicotine Product Samples To A Person Under Twenty-One Years Of Age; And To Amend Section 16-17-503, Relating To Enforcement Of Tobacco Products And Alternative Nicotine Products Provisions, So As To Further Provide For The Enforcement Of These Provisions And The Furnishing Of Related Reports.

Primary Sponsors
Todd Rutherford
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<td>HB 1419</td>
<td>Failed In S C Public Health Subcommittee Of Health Committee 2019 04 03</td>
<td>Failed</td>
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**Title**
Tobacco, Tobacco Products - As introduced, raises the minimum age from 18 to 21 to purchase any tobacco or vapor products; creates a Class C misdemeanor of selling or distributing flavored electronic cigarettes; increases the tax rate on cigarettes by 1.25 cents per cigarette. - Amends TCA Section 1-3-113; Title 39 and Title 67, Chapter 4, Part 10.

**Primary Sponsors**
Joe Towns

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<td>Returned To The Clerks Desk 2019 03 13</td>
<td>In House</td>
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**Title**
Tobacco, Tobacco Products - As introduced, increases age of persons allowed to use tobacco and vapor products from 18 years of age to 21 years of age. - Amends TCA Title 4, Chapter 29; Title 39, Chapter 17; Title 39, Chapter 15; Title 43 and Title 68.

**Primary Sponsors**
Bob Ramsey

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<tr>
<th>State</th>
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<td>HB 1459</td>
<td>Returned To The Clerks Desk 2019 04 16</td>
<td>In Senate</td>
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**Title**
Criminal Offenses - As introduced, increases the age to access or use tobacco and vapor products from 18 to 21 years of age. - Amends TCA Title 39.

**Primary Sponsors**
Ron Gant

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<th>State</th>
<th>Bill Number</th>
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<tbody>
<tr>
<td>TN</td>
<td>SB 280</td>
<td>Assigned To General Subcommittee Of Senate Commerce And Labor Committee 2019 02 26</td>
<td>In Senate</td>
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**Title**
Tobacco, Tobacco Products - As introduced, increases age restrictions for tobacco and vapor-related products from 18 years of age to 21 years of age. - Amends TCA Title 1, Chapter 3; Title 39; Title 47, Chapter 18, Part 20 and Title 68.

**Primary Sponsors**
Rosalind Kurita
Title
Tobacco, Tobacco Products - As introduced, raises the minimum age from 18 to 21 to purchase any tobacco or vapor products; creates a Class C misdemeanor of selling or distributing flavored electronic cigarettes; increases the tax rate on cigarettes by 1.25 cents per cigarette. - Amends TCA Section 1-3-113; Title 39 and Title 67, Chapter 4, Part 10.

Primary Sponsors
Sara Kyle

Title
Criminal Offenses - As introduced, increases the age to access or use tobacco and vapor products from 18 to 21 years of age. - Amends TCA Title 39.

Primary Sponsors
Joey Hensley

Title
Tobacco, Tobacco Products - As introduced, increases age of persons allowed to use tobacco and vapor products from 18 years of age to 21 years of age. - Amends TCA Title 4, Chapter 29; Title 39, Chapter 17; Title 39, Chapter 15; Title 43 and Title 68.

Primary Sponsors
Shane Reeves

Bill State: TX (3)

Title
Relating to the distribution, possession, purchase, consumption, and receipt of cigarettes, e-cigarettes, and tobacco products; imposing a civil penalty.

Primary Sponsors
John Zerwas, Senfronia Thompson, J.D. Sheffield, Rafael Anchia, Tom Oliverson
<table>
<thead>
<tr>
<th>State</th>
<th>Bill Number</th>
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<tr>
<td>TX</td>
<td>SB 21</td>
<td>Reported Favorably W O Amendment S 2019 04 15</td>
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<td>SB 338</td>
<td>Co Author Authorized 2019 02 12</td>
<td>In Senate</td>
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### Title

Relating to the distribution, possession, purchase, consumption, and receipt of cigarettes, e-cigarettes, and tobacco products.

**Primary Sponsors**

Joan Huffman, Donna Campbell, Chuy Hinojosa, Nathan Johnson, Lois Kolhhorst, Jane Nelson, Charles Perry, Kirk Watson, Judith Zaffirini

### Bill State: VT (2)

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<th>State</th>
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<tr>
<td>VT</td>
<td>H 27</td>
<td>Read First Time And Referred To The Committee On Human Services 2019 01 15</td>
<td>In House</td>
</tr>
<tr>
<td>VT</td>
<td>S 86</td>
<td>Referred To Committee On Ways And Means Per Rule 35 A 2019 04 16</td>
<td>In House</td>
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### Title

An act relating to increasing the smoking age from 18 to 21 years of age

**Primary Sponsors**

George Till

### Bill State: WV (3)
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<tr>
<th>State</th>
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<td>HB 2323</td>
<td>Filed For Introduction 2019 01 11</td>
<td>Failed sine die</td>
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<tr>
<td>WV</td>
<td>HB 2988</td>
<td>Filed For Introduction 2019 02 11</td>
<td>Failed sine die</td>
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<tr>
<td>WV</td>
<td>SB 348</td>
<td>Introduced In House 2019 02 28</td>
<td>Failed sine die</td>
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</table>

**Title**
Raising the legal age for purchase of tobacco and tobacco products

**Primary Sponsors**
Larry Rowe

**Title**
Relating to tobacco usage restrictions

**Primary Sponsors**
Matthew Rohrbach

**Title**
Relating to tobacco usage restrictions

**Primary Sponsors**
Tom Takubo