

## **Department of Planning and Budget**

### **2015 Fiscal Impact Statement**

**1. Bill Number:** SB1325

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Stuart

**3. Committee:** Passed the Senate.

**4. Title:** Purchase of tobacco products by minors; vapor products; liquid nicotine packaging; penalty.

**5. Summary:** This bill prohibits the sale of vapor products to a minor and the purchase or possession of vapor products by a minor. The bill defines vapor product as a noncombustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other means that can be used to produce vapor from a substance in a solution or other form. Current law prohibits the sale of nicotine vapor products to a minor and the purchase or possession of nicotine vapor products by a minor. The bill also provides that no person shall sell or distribute, or offer for sale or distribution, a liquid nicotine container on or after December 1, 2015, unless the liquid nicotine container is packaged in child-resistant packaging and complies with labeling requirements consistent with regulations adopted by the Board of Agriculture and Consumer Services. The bill requires the Board to adopt regulations establishing standards for child-resistant packaging and labeling requirements no later than November 1, 2015. Any person who sells or distributes, or offers for retail sale or distribution, a liquid nicotine container on or after December 1, 2015, in packaging that does not meet the child-resistant packaging and labeling requirements is guilty of a Class 4 misdemeanor.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Final.

**8. Fiscal Implications:** The bill requires the Board of Agriculture and Consumer Services to adopt regulations establishing child-resistant packaging standards and warning label requirements for liquid nicotine containers. The costs associated with promulgating regulations may be absorbed in the existing appropriation for the Department of Agriculture and Consumer Services.

The bill specifies that any person who sells or distributes, or offers for retail sale or distribution, a liquid nicotine container on or after December 1, 2015, in packaging that does not meet the child-resistant packaging and labeling requirements is guilty of a Class 4 misdemeanor. The punishment for a Class 4 misdemeanor is a fine of not more than \$250. Fines are deposited to the Literary Fund. The revenue that may be generated as a result of this bill is indeterminate.

**9. Specific Agency or Political Subdivisions Affected:** Department of Agriculture and Consumer Services; Department of Alcoholic Beverage Control; state and local law enforcement agencies.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** HB2036 also deals with liquid nicotine containers.