

# SENATE BILL REPORT

## HB 1937

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As of March 18, 2013

**Title:** An act relating to prohibiting a person from selling or giving a vapor product designed solely for smoking or ingesting tobacco to a minor.

**Brief Description:** Prohibiting a person from selling or giving a vapor product designed solely for smoking or ingesting tobacco to a minor.

**Sponsors:** Representatives Ross, Jinkins, Angel, Green, Harris, Cody, Morrell, Hope, Ryu, Schmick and Moscoso.

**Brief History:** Passed House: 3/05/13, 96-0.

**Committee Activity:** Law & Justice: 3/18/13.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Aldo Melchiori (786-7439)

**Background:** A person is guilty of a gross misdemeanor if the person sells, gives, or permits the sale or transfer of any type of tobacco-related product, including cigars, cigarettes, cigarette papers or wrappers, or tobacco in any form, to a person under 18 years of age.

In recent years a new smoking product, know as a vapor product, has been introduced that generally has the appearance of a cigarette and functions as a means of inhaling vapor which contains nicotine. Unlike a cigarette, this vapor product does not contain tobacco and does not require combustion. Rather, it is a battery-powered electronic device that heats a liquid nicotine solution, generating a nicotine-laced vapor that can be inhaled by the user.

**Summary of Bill:** Vapor products are added to the list of tobacco-related products that if, sold or given to a person under the age of 18, makes the seller or giver guilty of a gross misdemeanor.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: These devices act like tobacco products and deliver nicotine, so they should be governed as tobacco products. Young people form nicotine habits early in life. We do not yet know whether these products can cause potential harm. Nicotine delivery products should not be sold to minors.

**Persons Testifying:** PRO: Representative Ross, prime sponsor; T.K. Bentler, WA Assn. of Neighborhood Stores, RJR Tobacco.