
SENATE BILL 5815

State of Washington

63rd Legislature

2013 Regular Session

By Senators Keiser, Holmquist Newbry, Hobbs, Hatfield, Becker, Tom, Brown, and Shin

Read first time 02/18/13. Referred to Committee on Law & Justice.

1 AN ACT Relating to prohibiting a person from selling or giving a
2 vapor product designed solely for smoking or ingesting tobacco or
3 shisha to a minor; and amending RCW 26.28.080.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 26.28.080 and 1994 sp.s. c 7 s 437 are each amended to
6 read as follows:

7 (1) Every person who sells or gives, or permits to be sold or
8 given, to any person under the age of eighteen years any cigar,
9 cigarette, cigarette paper or wrapper, ((or)) tobacco in any form, a
10 vapor product, or any instrument or paraphernalia that is solely
11 designed for the smoking or ingestion of tobacco or shisha, including
12 a hookah or water pipe, is guilty of a gross misdemeanor.

13 (2) It shall be no defense to a prosecution for a violation of this
14 section that the person acted, or was believed by the defendant to act,
15 as agent or representative of another.

16 (3) For the purposes of this section:

17 (a) "Shisha" includes any mixture of tobacco leaf and honey,
18 molasses, dried fruit, or any other sweetener.

1 (b) "Vapor product" means a noncombustible tobacco-derived product
2 containing nicotine that employs a mechanical heating element, battery,
3 or circuit, regardless of shape or size, that can be used to heat a
4 liquid nicotine solution contained in cartridges. Vapor product does
5 not include any product that is regulated by the United States food and
6 drug administration under chapter V of the federal food, drug, and
7 cosmetic act.

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