

ESSB 6328 - H AMD 986

By Representative Jenkins

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1 On page 5, line 14, after "(19)" insert "Tasting" means the act
2 of a customer activating and using a vapor product within the
3 premises of a licensed retailer in order to obtain information for
4 the purpose of making an informed decision regarding the prospective
5 purchase of a vapor product.

6 (20)"

7 Correct any internal references accordingly.

8 On page 15, beginning on line 2, after "nicotine" strike all
9 material through "tasting" on line 7 and insert ";

10 (e) A disposable mouthpiece tip is attached to the vapor product
11 being used by the customer for tasting;

12 (f) The retail outlet exclusively sells only vapor products and
13 does not sell any other products except vapor product paraphernalia;

14 (g) The vapor products being tasted are owned by the licensee and
15 provided by the licensee to the customer at no cost solely for the
16 limited and immediate purpose of trying a vapor product solution or
17 device prior to a prospective purchase by the customer;

18 (h) The licensee does not allow the consumption or use of any
19 vapor product purchased on the premises or brought into the premises
20 by any person or customer other than the licensee;

21 (i) No more than three people may engage in tasting within the
22 licensed premises at any one time and seating for customers is
23 limited to no more than three seats at a sales counter or other
24 seating area;

25 (j) The licensee does not allow customers to remain on the
26 licensed premises except to engage in lawful activities authorized
27 under the license, and does not facilitate the prolonged, continuous
28 presence of customers within the premises by providing entertainment
29 or other diversions designed to encourage lounging within the retail
30 premises;

31 (k) There is no entry, admission, membership, or similar charge
32 or fee associated with access to the premises or tasting; and

1 (1) The owners and employees of a retail outlet are not permitted
2 to taste or use vapor products within the licensed premises"

3 Correct any internal references accordingly.

EFFECT: (1) Creates a definition for the term "tasting."

(2) Prohibits the inclusion of nicotine in vapor products being tasted by customers within the licensed premises of a vapor products retailer.

(3) Adds and revises criteria that must be met by a licensed vapor products retailer before the retailer may allow vapor product tasting by customers within the licensed premises, including requirements relating to:

(a) Use of disposable mouthpieces;

(b) Sales of products other than vapor products;

(c) Prohibiting charges for tasting activities;

(d) Use of vapor products brought into the premises by prospective customers;

(e) Limits on the number of customers that may taste vapor products within the premises at any one time;

(f) Prohibiting entertainment or other diversions designed to encourage customers to treat the premises as a lounge or to otherwise remain on the premises for prolonged periods;

(g) Prohibiting charges or fees related to accessing the licensed premises or the tasting of vapor products; and

(h) Prohibiting owners and employees from tasting or using vapor products on the licensed premises.

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