

SENATE BILL REPORT

SB 5124

As of January 22, 2015

Title: An act relating to prohibiting the sale of vapor products to minors.

Brief Description: Prohibiting the sale of vapor products to minors.

Sponsors: Senators Warnick, Honeyford, Dansel, Fain, Keiser, Roach, Mullet and Darneille.

Brief History:

Committee Activity: Law & Justice: 1/22/15.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Aldo Melchiori (786-7439)

Background: It is a gross misdemeanor to sell, give, or permit to be sold or given, any cigar, cigarette, cigarette paper or wrapper, tobacco in any form, or vapor product to any person under 18 years of age. Vapor product means a noncombustible tobacco-derived product containing nicotine that employs a device containing a mechanical heating element, battery, or circuit, regardless of shape or size, that can be used to heat a liquid nicotine solution contained in cartridges. Vapor product does not include any product that is regulated by the United States Food and Drug Administration under chapter V of the Federal Food, Drug, and Cosmetic Act.

Summary of Bill: A vapor product is not limited to a tobacco-derived product containing nicotine, but includes any noncombustible product that employs a mechanical heating element, battery, or circuit, to heat a liquid for the purposes of direct inhalation of the vapor. It is clarified that vapor product does not include a product that employs a medical device containing a mechanical heating element, battery, or circuit or a product designed solely to produce an ambient aroma.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

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.

Staff Summary of Public Testimony: PRO: We need to think of children first when we are dealing with these types of products. These are flavored and scentless products. High school students are using these products in school between classes because they are undetectable. The products have attachments that permit any form of the substance to be used.

OTHER: This is not really a vapor, it is an aerosol. The definition section needs to be clarified.

Persons Testifying: PRO: Senator Warnick, prime sponsor; Adam Munro, Moses Lake Police Dept.

OTHER: Mary McHale, American Cancer Society, Cancer Action Network.