
SENATE BILL 5124

State of Washington

64th Legislature

2015 Regular Session

By Senators Warnick, Honeyford, Dinsel, Fain, Keiser, Roach, Mullet, and Darneille

Read first time 01/14/15. Referred to Committee on Law & Justice.

1 AN ACT Relating to prohibiting the sale of vapor products to
2 minors; and amending RCW 26.28.080.

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

4 **Sec. 1.** RCW 26.28.080 and 2013 c 47 s 1 are each amended to read
5 as follows:

6 (1) Every person who sells or gives, or permits to be sold or
7 given, to any person under the age of eighteen years any cigar,
8 cigarette, cigarette paper or wrapper, tobacco in any form, or a
9 vapor product is guilty of a gross misdemeanor.

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

13 (3) For the purposes of this section, "vapor product" means a
14 noncombustible (~~tobacco-derived~~) product (~~containing nicotine~~)
15 that employs a device, not including a medical device, containing a
16 mechanical heating element, battery, or circuit, regardless of shape
17 or size, that can be used to heat a liquid (~~nicotine solution~~)
18 contained in cartridges for the purpose of direct inhalation of the
19 resultant vapor. Vapor product does not include a product designed
20 solely to produce an ambient aroma or any product that is regulated

1 by the United States food and drug administration under chapter V of
2 the federal food, drug, and cosmetic act.

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