

2018 Regular Session

HOUSE BILL NO. 239

BY REPRESENTATIVE PIERRE

TOBACCO/TOBACCO PRODUCTS: Provides relative to definition of vapor products

1 AN ACT

2 To amend and reenact R.S. 26:901(31), relative to the regulation of tobacco products; to
3 provide for the definition of "vapor product"; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 26:901(31) is hereby amended and reenacted to read as follows:

6 §901. Definitions

7 As used in this Chapter, the following terms have the meaning ascribed to
8 them in this Section, unless the context clearly indicates otherwise:

9 * * *

10 (31) "Vapor product" means any non-combustible product containing
11 nicotine or other substances that employs a heating element, power source, electronic
12 circuit, or other electronic, chemical or mechanical means, regardless of shape or
13 size, that can be used to produce vapor from nicotine ~~in a solution or other form~~ or
14 other substances. "Vapor product" includes any electronic cigarette, electronic cigar,
15 electronic cigarillo, electronic pipe, or similar product or device and any vapor
16 cartridge ~~or other container of nicotine in a solution or other form~~ that is intended to
17 be used with or in an electronic cigarette, electronic cigar, electronic cigarillo,
18 electronic pipe, or similar product or device. "Vapor product" does not include any
19 of the following:

20 (a) Product that is a drug pursuant to 21 U.S.C. 321(g)(1).

1 (b) Device pursuant to 21 U.S.C. 321(h).

2 (c) Combination product described in 21 U.S.C. 353(g).

3 * * *

4 Section 2. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 239 Engrossed

2018 Regular Session

Pierre

Abstract: Amends the definition of "vapor product" to include nicotine and other substances.

Present law provides for the regulation of vapor products and defines "vapor product".

Proposed law changes the definition of "vapor product" to clarify that other substances being turned into vapor by the device are included in the definition of "vapor product".

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 26:901(31))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Remove the language "or other container of nicotine in a solution" from the present law definition of "vapor product".