

2021 Regular Session

HOUSE RESOLUTION NO. 151

BY REPRESENTATIVE MINCEY

A RESOLUTION

To urge and request the commissioner of the office of alcohol and tobacco control to use its authority to conduct a study on the adoption of enhanced access controls at retail outlets as a more effective regulation that promotes responsible business practices and the prevention of access to tobacco products by underage persons, particularly as the state adopts and implements a minimum age of twenty-one for tobacco products.

WHEREAS, age-verification compliance remains critical to restrict underage access to tobacco products, including vapor products, and age-verification failure rates in Louisiana can be improved; and

WHEREAS, a leading contributor of underage use has been social sourcing, when a purchaser of legal age provides a tobacco product to an underage user. Recent data published by the Centers for Disease Control and Prevention and others indicate that social sourcing accounts for approximately seventy to eighty percent of underage use of vapor products; and

WHEREAS, results from the most recent National Youth Tobacco Survey show a significant year-over-year decline in underage use of vapor products. In 2020, 19.6% of high-school students reported use in the past thirty days, compared to 27.5% in 2019, and 4.7% of middle-school students reported use in the past thirty days, compared to 10.5% in 2019. Although such results are encouraging, more can and should be done to accelerate the decline in underage use of tobacco and vapor products; and

WHEREAS, a rapidly evolving marketplace, driven by new technology, presents an opportunity to implement new controls on how age-restricted products like tobacco and vapor are sold at retail; and

WHEREAS, technologically-based solutions now can use barcode-scanning technology to automatically verify the purchaser's age and validity of their identification (ID). Physical scanners or other software-based technologies can pull information from the barcode on a government-issued ID and determine whether the purchaser is of legal age and whether the ID has expired. The same technology can extract information from the purchaser's ID and temporarily display that information on the point-of-sale screen, enabling the retail clerk to verify that the information matches what is presented on the physical ID to reduce potential fraud; and

WHEREAS, point-of-sale systems can be embedded with automated controls that also limit the amount of product that can be purchased, thus restricting bulk purchases and further reducing the potential for social sourcing.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the commissioner of the office of alcohol and tobacco control to study the proposed adoption of enhanced access controls at retail outlets as a more effective regulation that promotes responsible business practices and the prevention of access to tobacco products by underage persons, particularly as the state adopts and implements a minimum age of twenty-one for tobacco products.

BE IT FURTHER RESOLVED that the commissioner may submit a publicly available, written report containing its findings and recommendations to the legislature and governor no later than January 19, 2022.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the commissioner of the office of alcohol and tobacco control.

BE IT FURTHER RESOLVED that the commissioner of the office of alcohol and tobacco control shall submit one printed copy and one electronic copy of any report produced pursuant to this Resolution to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES