
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 12
by Senator Gallot

1 AMENDMENT NO. 1

2 On page 1, line 3, after "relative to" delete the remainder of the line and delete lines 4
3 through 6 and insert the following:

4 "offenses affecting the health and morals of minors; to prohibit the sale or other
5 distribution of alternative nicotine products, electronic cigarettes, and vapor pens to
6 persons under the age of eighteen; to provide definitions; and to provide for related
7 matters."

8 AMENDMENT NO. 2

9 On page 1, at the beginning of line 15, after "(6)" insert "(a)"

10 AMENDMENT NO. 3

11 On page 1, line 16, after "cigarette" insert "or vaporizer"

12 AMENDMENT NO. 4

13 On page 2, line 1, after "means." delete the remainder of the line and delete lines 2 through
14 12 and on line 2 insert the following:

15 **(b) "Alternative nicotine product" does not include:**
16 **(i) A product that is a drug pursuant to 21 U.S.C. 321(g)(1).**
17 **(ii) A device pursuant to 21 U.S.C. 321(h).**
18 **(iii) A combination product described in 21 U.S.C. 353(g).**
19 **(7)(a) "Electronic cigarette" and "vaporizer" mean a product or device**
20 **that produces a vapor, regardless of the means or method by which the vapor**
21 **is produced, that delivers nicotine or other substances to the person inhaling**
22 **from the device to simulate smoking and is likely to be offered to or purchased**
23 **by consumers as an electronic cigarette, electronic cigar, electronic cigarillo,**
24 **electronic pipe, or similar device.**
25 **(b) "Electronic cigarette" and "vaporizer" do not include:**
26 **(i) A product that is a drug pursuant to 21 U.S.C. 321(g)(1).**
27 **(ii) A device pursuant to 21 U.S.C. 321(h).**
28 **(iii) A combination product described in 21 U.S.C. 353(g).**

29 AMENDMENT NO. 5

30 On page 4, delete lines 13 through 27 and insert the following:

31 **(6)(a) "Alternative nicotine product" means a product, including an**
32 **electronic cigarette or vaporizer, that consists of or contains nicotine that can**
33 **be ingested into the body by chewing, absorbing, dissolving, or inhaling, or by**
34 **any other means.**
35 **(b) "Alternative nicotine product" does not include:**
36 **(i) A product that is a drug pursuant to 21 U.S.C. 321(g)(1).**
37 **(ii) A device pursuant to 21 U.S.C. 321(h).**
38 **(iii) A combination product described in 21 U.S.C. 353(g).**
39 **(7)(a) "Electronic cigarette" and "vaporizer" mean a product or device**
40 **that produces a vapor, regardless of the means or method by which the vapor**
41 **is produced, that delivers nicotine or other substances to the person inhaling**
42 **from the device to simulate smoking and is likely to be offered to or purchased**

1 by consumers as an electronic cigarette, electronic cigar, electronic cigarillo,
2 electronic pipe, or similar device.

3 (b) "Electronic cigarette" and "vaporizer" do not include:

4 (i) A product that is a drug pursuant to 21 U.S.C. 321(g)(1).

5 (ii) A device pursuant to 21 U.S.C. 321(h).

6 (iii) A combination product described in 21 U.S.C. 353(g)."

7 AMENDMENT NO. 6

8 On page 5, delete lines 27 through 29, and on page 6, delete lines 1 through 12, and insert
9 the following:

10 "(28)(a) "Alternative nicotine product" means a product, including an
11 electronic cigarette or vaporizer, that consists of or contains nicotine that can
12 be ingested into the body by chewing, absorbing, dissolving, or inhaling, or by
13 any other means.

14 (b) "Alternative nicotine product" does not include:

15 (i) A product that is a drug pursuant to 21 U.S.C. 321(g)(1).

16 (ii) A device pursuant to 21 U.S.C. 321(h).

17 (iii) A combination product described in 21 U.S.C. 353(g).

18 (29)(a) "Electronic cigarette" and "vaporizer" mean a product or device
19 that produces a vapor, regardless of the means or method by which the vapor
20 is produced, that delivers nicotine or other substances to the person inhaling
21 from the device to simulate smoking and is likely to be offered to or purchased
22 by consumers as an electronic cigarette, electronic cigar, electronic cigarillo, or
23 electronic pipe.

24 (b) "Electronic cigarette" and "vaporizer" do not include:

25 (i) A product that is a drug pursuant to 21 U.S.C. 321(g)(1).

26 (ii) A device pursuant to 21 U.S.C. 321(h).

27 (iii) A combination product described in 21 U.S.C. 353(g)."