HLS 17RS-2634 ENGROSSED

2017 Regular Session

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HOUSE RESOLUTION NO. 155

BY REPRESENTATIVE HOFFMANN

HEALTH/SMOKING: Requests a study and report on tax-related and health-related issues associated with vapor products and electronic cigarettes

A RESOLUTION

2	To urge and request the Louisiana Department of Health to study certain tax-related and
3	health-related issues associated with electronic cigarettes and other vapor products,
4	and to report the findings of the study to the House Committee on Ways and Means
5	and the House Committee on Health and Welfare.
6	WHEREAS, smoking-related illnesses and deaths and their associated human and
7	economic costs represent a devastating public health problem across the United States; and
8	WHEREAS, smoking is the leading cause of preventable death in our state and
9	nation; and
10	WHEREAS, though smoking is an exceptionally difficult habit to break due to the
11	powerful nature of addiction to cigarettes, thousands of Americans win the battle to quit
12	smoking each year, many with the help of a smoking cessation program; and
13	WHEREAS, as provided in state statute (R.S. 26:901), "vapor product", in pertinent
14	part, means any non-combustible product containing nicotine that employs a heating
15	element, power source, electronic circuit, or other electronic, chemical, or mechanical means
16	that can be used to produce vapor from nicotine in a solution or other form; and
17	WHEREAS, the statutory definition of "vapor product" includes any electronic
18	cigarette; and

1	WHEREAS, pursuant to authority granted in the federal Tobacco Control Act of
2	2009, the United States Food and Drug Administration (FDA) finalized regulations in 2016
3	which, for the first time, would impose strict oversight of electronic cigarettes and other
4	vapor products; and
5	WHEREAS, according to a brief that the FDA filed in August 2016, the percentage
6	of high school students who use electronic cigarettes rose from one and one-half percent to
7	thirteen and four-tenths percent from 2011 to 2014; and
8	WHEREAS, opponents of the FDA regulations argue that electronic cigarettes and
9	other vapor products can help people to wean themselves off of smoking combustible forms
10	of tobacco; and
11	WHEREAS, proponents of the FDA regulations argue that they are an appropriate
12	response to a significant public health problem, and that they are necessary to curb an
13	industry which targets dangerous products toward children.
14	THEREFORE, BE IT RESOLVED that the House of Representatives of the
15	Legislature of Louisiana does hereby urge and request the Louisiana Department of Health
16	to study the following issues associated with electronic cigarettes and other vapor products:
17	(1) The rates at which electronic cigarettes and other vapor products are taxed in
18	each U.S. state.
19	(2) The health impacts associated with the use of electronic cigarettes and other
20	vapor products.
21	(3) Whether the use of electronic cigarettes and other vapor products should be
22	promoted as a safe and effective means of quitting smoking.
23	BE IT FURTHER RESOLVED that, if requested by the secretary of the Louisiana
24	Department of Health, the secretary of the Louisiana Department of Revenue shall assist and
25	collaborate in the tax-related aspect of the study requested in this Resolution.
26	BE IT FURTHER RESOLVED that the Louisiana Department of Health shall
27	develop a written report of findings of the study requested by this Resolution, and shall
28	submit the report to the House Committee on Ways and Means and the House Committee
29	on Health and Welfare no later than sixty days prior to the convening of the 2018 Regular
30	Session of the Legislature of Louisiana.

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BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the

- 2 secretary of the Louisiana Department of Health and the secretary of the Louisiana
- 3 Department of Revenue.

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)]

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Hoffmann

Urges and requests the La. Dept. of Health to study the following issues associated with electronic cigarettes and other vapor products:

- (1) The rates at which electronic cigarettes and other vapor products are taxed in each U.S. state.
- (2) The health impacts associated with the use of electronic cigarettes and other vapor products.
- (3) Whether the use of electronic cigarettes and other vapor products should be promoted as a safe and effective means of quitting smoking.

Provides that, if requested by the secretary of the La. Dept. of Health, the secretary of the La. Dept. of Revenue shall assist and collaborate in the tax-related aspect of the study.

Requires the La. Dept. of Health to report findings from the study to the House Committee on Ways and Means and the House Committee on Health and Welfare no later than 60 days prior to the convening of the 2018 R.S.