

2018 Regular Session

HOUSE BILL NO. 239

BY REPRESENTATIVE PIERRE

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

- 20 (a) Product that is a drug pursuant to 21 U.S.C. 321(g)(1).  
21 (b) Device pursuant to 21 U.S.C. 321(h).  
22 (c) Combination product described in 21 U.S.C. 353(g).

23 \* \* \*

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_