

2024 Regular Session

HOUSE BILL NO. 876

BY REPRESENTATIVE BEAULLIEU

TOBACCO/TOBACCO PRODUCTS: Provides relative to the definition of "alternative nicotine product"

1 AN ACT

2 To enact R.S. 26:901(1)(f), relative to the regulation of certain products containing nicotine;
3 to provide relative to the meaning of the term "alternative nicotine product" for
4 purposes of such regulation; to exclude certain products from meaning of the term;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 26:901(1)(f) is hereby enacted to read as follows:

8 §901. Definitions

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

11 (1) "Alternative nicotine product" means any non-combustible product
12 containing nicotine that is intended for human consumption, whether chewed,
13 absorbed, dissolved, or ingested by any other means. "Alternative nicotine product"
14 does not include any of the following:

15 * * *

16 (f) Oral nicotine pouch product.

17 * * *

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 876 Original

2024 Regular Session

Beaulieu

Abstract: Excludes an oral nicotine pouch product from the definition of "alternative nicotine product".

Present law (R.S. 26:901 et seq.) provides for regulation of the sale of tobacco products, vapor products, and alternative nicotine products.

Present law defines "tobacco product" as any cigar, cigarette, smokeless tobacco, or smoking tobacco.

Present law defines "vapor product" as any non combustible product containing nicotine or other substances that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine or other substances. Provides that "vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. Provides that "vapor product" does not include a product that is a drug pursuant to federal law (21 U.S.C. 321(g)(1)), a device pursuant to federal law (21 U.S.C. 321(h)), or a combination product described in federal law (21 U.S.C. 353(g)).

Proposed law retains present law.

Present law defines "alternative nicotine product" as a non-combustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means. Provides that "alternative nicotine product" does not include any of the following:

- (1) Tobacco product.
- (2) Vapor product.
- (3) Product that is a drug pursuant to federal law (21 U.S.C. 321(g)(1)).
- (4) Device pursuant to federal law (21 U.S.C. 321(h)).
- (5) Combination product described in federal law (21 U.S.C. 353(g)).

Proposed law retains present law and additionally provides that "alternative nicotine product" does not include an oral nicotine pouch product.

(Adds R.S. 26:901(1)(f))