



## **Tobacco Control Legislation Passed in 2019 - by State**

### **ALABAMA**

Tobacco Control Program Funding: Allocated \$2,245,727 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 152) enacted 5/31/2019 and effective 10/1/2019 and FY2020 MSA Payment Annual Budget (H.B. 157) enacted 5/22/2019 and effective 10/1/2019.

Licensing/Youth Access Laws: Requires e-cigarettes/vape shops to have a tobacco retail license. Places restrictions on the sales and advertising of alternative nicotine products, including prohibiting their advertisement as cessation devices, and requiring they be sold in child-resistant packaging. Prohibits new specialty retailers of electronic nicotine delivery systems from locating near schools or other specified places.

H.B. 41 enacted 5/23/2019 and effective on 8/1/2019.

### **ALASKA**

Tobacco Control Program Funding: Allocated \$9,143,800 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 2001) enacted 10/23/2019 and effective 7/1/2019.

### **ARIZONA**

Tobacco Control Program Funding: Allocated \$16,990,400 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 2747) enacted 5/31/2019 and effective 7/1/2019.

Tobacco Product Licensing: Amends requirements for tobacco distributor licensure making it unlawful for most tobacco products to be held or stored at a residential location as well as provides additional guidance to tobacco retailers about the transportation of tobacco products intended for sale.

S.B. 1347 enacted 4/10/2019 and effective 8/27/2019.

### **ARKANSAS**

Tobacco Control Program Funding: Allocated \$11,146,591 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Tobacco Prevention and Control Program Budget (H.B. 1169) enacted 1/31/2019 and effective 7/1/2019.

Smokefree Air: Amends the Clean Indoor Air Act to exclude casinos/gaming establishments from state indoor smoking restrictions.

S.B. 667 enacted 4/12/2019 and effective 7/24/2019.

Minimum Age/Preemption: Increases tobacco sale age from 18 to 21 with exemptions for military and grandfathering for those between the ages of 19 and 21 when this was enacted. This bill also establishes new preemption for county, municipal, and local regulation related to tobacco sales and distribution.

H.B. 1565 enacted 3/28/2019 and effective 7/24/2019.



Tobacco Cessation: Provides comprehensive coverage of FDA approved tobacco cessation medications (not including counseling) under the state Medicaid program with no prior authorization allowed to be imposed.

H.B. 1555 enacted 4/12/2019 and effective 7/24/2019.

Tobacco Taxes: Provides funding for a national cancer institute designated cancer center in Arkansas funded by the taxation of tobacco products, cigarette paper, and medical marijuana. This bill also removes the separate lower cigarette tax for border communities.

H.B. 1565 enacted 3/28/2019 and effective 7/24/2019.

Tobacco Cessation: Authorizes a pharmacist to initiate therapy and administer or dispense certain types of tobacco cessation medications.

H.B. 1263 enacted 4/2/2019 and effective 7/24/2019.

Licensing: Amends the Unfair Cigarette Sales Act and the state Tobacco Products Tax Act. Changes manufacturing and sales licenses to permits and updates product definitions.

H.B. 1980 enacted 4/16/2019 and effective 7/24/2019.

Miscellaneous: Repeals unused provisions of the tax code, including an income tax credit for the purchase of a cigarette receptacle.

H.B. 1725 enacted 4/3/2019 and effective 7/24/2019.

### **CALIFORNIA**

Tobacco Control Program Funding: Allocated \$326,013,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (A.B. 74) enacted 6/27/2019 and effective 7/1/2019.

Smokefree Parks and Beaches: Restricts smoking on a state beach and in state parks and establishes a fine. Restricts the disposal of cigar and cigarette waste to designated waste receptacle.

S.B. 8 enacted 10/11/2019 and effective 1/1/2020.

Internet Sales of Tobacco Products: Adds additional requirements to the Stop Tobacco Access to Kids Enforcement (STAKE) Act. Requires sellers, distributors, and non-sale distributors to deliver tobacco products only in marked containers to verified address and to obtain the signature of a person 21 years of age or older before delivering a tobacco product.

S.B. 39 enacted 9/16/2019 and effective 1/1/2020.

### **COLORADO**

Tobacco Control Program Funding: Allocated \$21,369,632 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (S.B. 207) enacted 4/18/2019 and effective 7/1/2019.

Smokefree Air: Adds e-cigarettes to the smokefree air law and removes several exemptions, including for small private workplaces.

H.B. 1076 enacted and effective 5/29/2019.



Smokefree Air: Makes certain marijuana sales and hospitality businesses an exception to Colorado's smokefree air law.

H.B. 1230 enacted on 5/29/2019 and effective on 1/1/2020.

Preemption: Removes barriers to municipalities in Colorado to require licenses for tobacco products, and specifically allows local taxes on tobacco products.

H.B. 1033 enacted 3/28/2019 and effective 7/1/2019.

### **CONNECTICUT**

Tobacco Control Program Funding: Allocated \$0 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Budget (H.B. 7424) enacted 6/26/2019 and effective on 7/1/2019 (FY2020) & 7/1/2020 (FY2021) as outlined by CONN. GEN. STAT. § 4-28e (2019).

Minimum Age/Youth Access Laws: Increases sale age from 18 to 21 for all tobacco products including e-cigarettes. Provides updates to definitions and strengthens laws preventing youth access to tobacco products and tobacco product licensing laws.

H.B. 7200 enacted 6/18/2019 and effective 10/1/2019.

E-cigarette Tax: Establishes an e-cigarette tax of 40 cents/milliliter for prefilled and sealed by the manufacturer e-cigarette products and 10% of the wholesale price for all other e-cigarette products.

H.B. 7424, sect. 351 enacted 6/26/2019 and effective 10/1/2019.

Smokefree Air: Prohibits smoking and vaping in and on the grounds of schools and child care facilities.

H.B. 7200 enacted 6/18/2019 and effective 10/1/2019.

### **DELAWARE**

Tobacco Control Program Funding: Allocated \$6,659,500 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 225) enacted 6/25/2019 and effective 7/1/2019.

Minimum Age: Increases sale age from 18 to 21 for all tobacco products including e-cigarettes. Provides updates to definitions and strengthens laws preventing youth access to tobacco products.

S.B. 25 enacted 4/17/2019 and effective 7/16/2019.

### **DISTRICT OF COLUMBIA**

Tobacco Control Program Funding: Allocated \$1,900,000 in city funding for tobacco prevention and cessation programs in FY2020.

FY2020 Local Budget Act of 2019 (B23-208) passed by the City Council 5/28/2019, signed by mayor 7/15/2019, passed U.S. Congressional Review Period 8/31/2019 and effective 10/1/2019.

### **FLORIDA**

Tobacco Control Program Funding: Allocated \$72,091,361 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (S.B. 2502) enacted 6/21/2019 and effective 7/1/2019.



Smokefree Air: Implements constitutional amendment approved in November 2018 adding e-cigarettes to the smokefree law.

S.B. 7012 enacted 4/26/2019 and effective 7/1/2019.

### **GEORGIA**

Tobacco Control Program Funding: Allocated \$750,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 31) enacted 5/10/2019 and effective 7/1/2019.

### **HAWAII**

Tobacco Control Program Funding: Allocated \$6,386,919 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Budget (H.B. 2) enacted 4/15/2019 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021) and Allocation for calendar year 2019 from Hawaii Tobacco Prevention and Control Trust Fund.

### **IDAHO**

Tobacco Control Program Funding: Allocated \$3,735,500 in state funding for tobacco prevention and cessation programs in FY2020.

Department of Health & Welfare Public Health Services Appropriations (S.B. 1184) enacted 4/9/2019 and effective 7/1/2019 and Public Health District Appropriations (H.B. 200) enacted 3/19/2019 and effective 7/1/2019.

Tobacco Cessation: Revises provisions regarding products that may be prescribed by a pharmacist. Pharmacists now able to prescribe tobacco cessation products.

H.B. 182 enacted 3/21/2019 and effective 7/1/2019.

### **ILLINOIS**

Tobacco Control Program Funding: Allocated \$10,100,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (S.B. 262) enacted 6/5/2019 and effective 7/1/2019.

Tobacco Taxes: Increases cigarette tax by \$1.00 per pack, establishes e-cigarette tax of 15% of the wholesale price. Adds e-cigarettes into the tobacco products definition for tax purposes.

S.B. 690 enacted 6/28/2019 and effective 1/1/2020.

Minimum Age: Increases the tobacco sale age from 18 to 21; amends youth access to tobacco laws, including removing penalties for underage persons who purchase tobacco products.

H.B. 345 enacted 4/8/2019 and effective 7/1/2019.

Cannabis Regulation and Smokefree Air: Prohibits smoking of cannabis in any location restricted under the Smoke Free Illinois Act. Makes it lawful for those 21 years of age or older to possess, use, and purchase limited amounts of cannabis for personal use. States that 2% of taxes collected will be used for public education campaigns on alcohol, tobacco, and other drugs.

H.B. 1438 enacted and effective 6/25/2019.



Smoking in Vehicles: Prohibits smoking of combustible products in a motor vehicle with a minor (child under the age of 18) present. Does not apply to a person who is the sole occupant of the vehicle or for products such as e-cigarettes.

H.B. 2276 enacted 8/23/2019 and effective 6/1/2020.

Tobacco Product Compliance: States that any person who manufactures, fabricates, assembles, processes, or labels a tobacco product or imports a finished tobacco product for sale or distribution in the United States, located in or having a place of business in Illinois, shall provide written certification of its compliance with labeling provisions of the federal Family Smoking Prevention and Tobacco Control Act to the Department of Public Health on an annual basis.

S.B. 664 enacted and effective 8/26/2019.

### **INDIANA**

Tobacco Control Program Funding: Allocated \$7,500,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Budget (H.B. 1001) enacted 4/29/19 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021).

Packaging/Labeling: Eliminates a state requirement that an e-liquid manufacturer or a closed system vapor product manufacturer include certain information on an e-liquid container that contains nicotine.

S.B. 271 enacted 4/10/2019 and effective 7/1/2019.

Tobacco Taxes: Makes a change to the way a portion of state cigarette tax revenue is allocated.

H.B. 1001, sect. 129 enacted 4/29/2019 and effective 7/1/2019.

### **IOWA**

Tobacco Control Program Funding: Allocated \$4,271,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Health and Human Services Appropriations (H.F. 766) enacted 5/3/2019 and effective 7/1/2019.

### **KANSAS**

Tobacco Control Program Funding: Allocated \$1,001,960 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (S.B. 25) enacted 5/29/2019 and effective 7/1/2019.

### **KENTUCKY**

Tobacco Control Program Funding: Allocated \$3,342,100 in state funding for tobacco prevention and cessation programs in FY2020.

FY2019-FY2020 Biennial Budget (H.B. 200) enacted (by veto override) 4/14/2018 and effective 7/1/2018 (FY2019) and 7/1/2019 (FY2020) & Biennial Budget Adjustments (H.B. 268) enacted 3/28/2019 and effective 3/28/2019 (FY2019) and 7/1/2019 (FY2020).

Tobacco-Free Schools: Requires school districts to implement tobacco-free school policies (inclusive of e-cigarettes) by July 1, 2020. Includes a 3-year opt-out period for schools as well as an exception for smoking areas designated by the school. Fines range from \$1 to \$5.

H.B. 11 enacted 4/9/2019 and effective 6/27/2019.



### **LOUISIANA**

Tobacco Control Program Funding: Allocated \$13,173,573 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 105) enacted 6/18/2019 and effective 7/1/2019 & 2019 allocations from the Smoking Cessation Trust.

Tobacco Definitions: Updates definitions related to tobacco product restrictions, further applies restrictions and permitting requirements to alternative nicotine products and vapor products, and requires vapor products manufacturers to seek authorization from the state before selling.

H.B. 244 enacted and effective 6/20/2019.

### **MAINE**

Tobacco Control Program Funding: Allocated \$11,832,320 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Budget (H.P. 743/L.D. 1001) enacted 6/17/2019 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021).

Tobacco Taxes: Equalizes taxes of other tobacco products including e-cigarettes to that of cigarettes. Provides additional funding for tobacco prevention/cessation programs.

H.B. 758 enacted 7/2/2019 and effective 9/19/2019.

Tobacco-Free Schools: Prohibits the possession and use of electronic smoking devices on school grounds.

S.B. 39 enacted 4/30/2019 and effective 9/19/2019.

### **MARYLAND**

Tobacco Control Program Funding: Allocated \$10,476,978 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 100) enacted 5/13/2019 and effective 7/1/2019.

Minimum Age: Increases the tobacco sale age from 18 to 21 except for active members of the military with valid military identification. Updates licensing and youth access to tobacco laws.

H.B. 1169 enacted 05/13/2019 and effective 10/1/2019.

Youth Access Laws: Prohibits the sale of cigarettes sold in a quality less than 20 in Baltimore City and specifies local enforcement.

S.B. 310 enacted 4/30/2019 and effective 10/1/2019.

Tobacco Commission: Moves enforcement for tobacco laws to a new Alcohol and Tobacco Commission. Requires the Governor to appoint an Executive Director of the Commission.

H.B. 1052 enacted (by veto override) 3/28/2019 and effective 6/1/2020.

### **MASSACHUSETTS**

Tobacco Control Program Funding: Allocated \$4,617,730 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 4000) enacted and effective retroactive to 7/1/2019.



**Flavored Tobacco Products:** Prohibits all persons, retailers, or manufacturers from selling or distributing any flavored tobacco products or tobacco product flavor enhancers in any retail establishment, online or through other means. Does not apply to smoking bars where flavored products are consumed on-site. H.B. 4196 enacted 11/27/2019 and parts effective 11/27/19 (e-cigarettes) and 6/1/2020 (menthol cigarettes and other tobacco products).

**Tobacco Cessation:** Sets baseline level of cessation coverage for all active and retired commonwealth employees including cessation counseling and all generic FDA approved cessation products without cost sharing when prescribed by a health care provider. H.B. 4196 enacted and effective 11/27/2019.

**E-Cigarette Taxes:** Establishes an e-cigarette tax of 75% of the wholesale price. The tax is imposed on the distributor at the time when the product is manufactured, purchased, imported, received, or acquired in Massachusetts. H.B. 4196 enacted 11/27/2019 and effective 6/1/2019.

#### **MICHIGAN**

**Tobacco Control Program Funding:** Allocated \$1,630,000 in state funding for tobacco prevention and cessation programs in FY2020. FY2020 Annual Budget (H.B. 5396) enacted 9/30/2019 and effective 10/1/2019.

**Child-Resistant Packaging:** Requires sellers of liquid nicotine containers to ensure products meet child-resistant safety standards. Requires vapor products and alternative nicotine products to be sold behind the counter or in a locked case. S.B. 155 enacted 6/4/2019 and effective on 9/2/2019.

**Youth Access Laws:** Adds e-cigarettes defined as vapor products and alternative nicotine products into existing state laws prohibiting the sale to and purchase, use and possession by persons under age 18. Regulates the retail sale of vapor products, alternative nicotine products, and liquid nicotine containers. S.B. 106 enacted 6/4/2019 and effective on 9/2/2019.

#### **MINNESOTA**

**Tobacco Control Program Funding:** Allocated \$15,403,417 in state funding for tobacco prevention and cessation programs in FY2020. FY2020-FY2021 Biennial Health and Human Services Budget (S.F. 12, 1st special session 2019) enacted 5/30/2019 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021) & FY2020 ClearWay Minnesota Operating Budget.

**Smokefree Air:** Adds carrying or using an activated e-cigarette and the smoking of marijuana to the state law prohibiting smoking in virtually all public places and workplaces. S.F. 12 (1st special session 2019), Art. 11, sect. 23-31, enacted 5/30/2019 and effective 7/1/2019.

**Tobacco Control Programs:** Directs the Commissioner of Health to administer or contract for statewide tobacco cessation services and outlines requirements and components of those services. S.F. 12 (1st special session 2019), Art. 11, sect. 22, enacted 5/30/2019 and effective 7/1/2019.



### **MISSISSIPPI**

Tobacco Control Program Funding: Allocated \$8,440,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Department of Health Appropriations (H.B. 1649) enacted 4/16/2019 and effective 7/1/2019.

### **MISSOURI**

Tobacco Control Program Funding: Allocated \$171,582 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Department of Health and Senior Services Annual Budget (H.B. 10) enacted 6/10/2019 and effective 7/1/2019.

### **MONTANA**

Tobacco Control Program Funding: Allocated \$4,737,317 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Budget (H.B. 2) enacted 5/13/2019 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021).

Tobacco-Free Schools: Prohibits the use of a vapor product and alternative nicotine product in public school building or on public school property.

H.B. 413 enacted and effective on 5/7/2019.

Firefighters and Tobacco Use: Requires paid firefighters hired on or after 1/1/2020 to be tobacco free. Provides tobacco cessation courses to paid firefighters who currently use tobacco products. Prohibits firefighters from displaying tobacco products or using tobacco products while on duty. Prohibits provisions allowing tobacco use in collective bargaining agreements.

S.B. 171 enacted and effective on 5/7/2019.

### **NEBRASKA**

Tobacco Control Program Funding: Allocated \$2,570,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Annual Budget (L.B. 294) enacted 5/27/2019 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021)

Minimum Age: Raises the tobacco sales age from 18 to 19. Requires sellers of electronic nicotine delivery systems to be licensed.

L.B. 149 enacted 5/30/2019 and effective 9/1/2019.

Tobacco and Nicotine Products: Changes definition of e-cigarette to electronic nicotine delivery systems in state law. Amends laws related to enforcement of the tobacco Master Settlement Agreement and nonparticipating manufacturers.

L.B. 397 enacted 5/23/2019 and effective 5/30/2019.

### **NEVADA**

Tobacco Control Program Funding: Allocated \$3,450,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Budget (A.B. 543) enacted 6/12/2019 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021).



**Youth Access/Smokefree Air:** Makes changes to state youth access laws including adding e-cigarettes into the other tobacco product definition. Adds e-cigarettes to statewide smoking restrictions. Revises other provisions pertaining to the sale of tobacco products and alternative nicotine products to persons under age 18.

S.B. 263 enacted 6/12/2019 and effective 1/1/2020.

**Preemption/Licensing:** Repeals preemption for local licensing of tobacco products. Revises provisions relating to the licensing of persons engaged in the manufacturing, distribution, and sale of tobacco products. Establishes procedures to claim a refund for any amount, penalty or interest erroneously paid in connection with taxes on tobacco products.

S.B. 81 enacted and effective 5/23/2019.

**Licensing:** Increases the annual license fee for wholesale dealers of cigarettes. Establishes an annual license fee for wholesale dealers of other tobacco products. Revises provisions governing the imposition and payment of the tax on other tobacco products.

A.B. 535 enacted 6/12/2019 and effective on 10/1/2019.

**Tobacco Taxes:** Revises provisions relating to the regulation and taxation of vapor products and other tobacco products. As taxed products, wholesalers and retail dealers of those products would need to obtain a license and pay tax of 30% of wholesale.

S.B. 263 enacted 6/12/2019 and effective 1/1/2020.

**Tobacco Product Dealers and Manufacturers:** Revises provisions relating to manufacturers and wholesale dealers of tobacco products. Requires styles of cigarettes to be included in the directory of cigarette brand families maintained by the Department of Taxation.

S.B. 62 enacted 05/21/2019 and effective 10/1/2019.

### **NEW HAMPSHIRE**

**Tobacco Control Program Funding:** Allocated \$360,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Budget (H.B. 3) enacted 9/26/2019 and effective retroactive to 7/1/2019 (FY2020) & 7/1/2020 (FY2021).

**Youth Access Laws:** Adds e-cigarettes to statewide smoking restrictions and changes terminology for e-cigarettes in youth access laws.

H.B. 511 enacted 7/19/2019 and effective 7/1/2019.

**Minimum Age:** Increases minimum sale age from 18 to 19 years of age and adds definition for e-cigarettes. Updates other youth access to tobacco laws to include e-cigarettes.

H.B. 4 enacted 9/26/19 and effective 1/1/2020.

**Tobacco Taxes:** Establishes a two-tiered tax on e-cigarettes that varies depending on whether the e-liquid container is intended to be opened or not.

H.B. 4 enacted 9/26/19 and effective 1/1/2020.



Smokefree Parks: Authorizes the Department of Natural and Cultural Resources to restrict smoking in state forests, parks, land, or buildings operated by the Department through rulemaking.  
H.B. 139 enacted 5/15/2019 and effective 7/14/2019.

Tobacco Taxes: Recodifies the tobacco tax administered by the Department of Revenue Administration. Requires wholesalers to keep a sufficient number of recently purchased tax stamps on hand to pay due Tobacco Tax.  
H.B. 595 enacted 7/10/2019 and effective 1/1/2020.

### **NEW JERSEY**

Tobacco Control Program Funding: Allocated \$7,164,000 in state funding for tobacco prevention and cessation programs in FY2020.  
FY2020 Annual Budget (S.B. 2020) enacted 6/30/2019 and effective 7/1/2019.

E-Cigarette Taxation/Licensing: Establishes a new tax of 10% of the retail sales price on container e-liquid. Requires a license for vapor businesses that sell container e-liquid and meet other requirements.  
A.B. 5385 enacted 6/30/2019 and effective 11/1/2019.

### **NEW MEXICO**

Tobacco Control Program Funding: Allocated \$5,488,699 in state funding for tobacco prevention and cessation programs in FY2020.  
FY2020 Annual Budget (H.B. 2) enacted 3/15/2019 and effective 7/1/2019.

Smokefree Air: Adds e-cigarettes to the smokefree law and removes many exemptions such as for small workplaces and private functions in restaurants and hotels.  
H.B. 256 enacted 4/2/2019 and effective 6/14/2019.

Tobacco Taxes: Increases the cigarette tax by 34 cents to \$2.00 per pack. Establishes new tax on e-cigarettes, a \$0.50 tax on closed system cartridges, and 12.5% excise tax on e-liquids. Reduces tax on any cigarettes found to be modified risk products by FDA.  
H.B. 6 enacted 4/4/2019 and effective 7/1/2019.

### **NEW YORK**

Tobacco Control Program Funding: Allocated \$39,769,600 in state funding for tobacco prevention and cessation programs in FY2020.  
FY2020 Annual Budget (A.B. 2000) enacted and effective 4/12/2019.

Minimum Age: Increases the tobacco sales age from 18 to 21. Updates age in other state youth access to tobacco laws.  
A.B. 558 enacted 7/16/2019 and effective 11/13/2019.

Youth Access Laws: Amends the Public Health Law and adds e-cigarettes to tobacco use and prevention program mandates. Restricts electronic cigarette and liquid nicotine use amongst persons under age 21.  
A.B. 481 enacted 9/12/2019 and effective 9/12/2019.



**Tobacco Taxes:** Amends the Public Housing Law and gives authority to certain municipalities to administer, collect and enforce an excise tax on the sale of tobacco products other than cigarettes. S.B. 2634 enacted and effective 12/12/2019.

**Smoking Definition:** Modifies definition of smoking in the penal, criminal procedure, and public health laws to specifically include marijuana. S.B. 6579 enacted 7/28/2019 and effective 8/28/2019.

### **NORTH CAROLINA**

**Tobacco Control Program Funding:** Allocated \$2,150,000 in state funding for tobacco prevention and cessation programs in FY2020.

No biennial budget approved for FY2020 and FY2021, spending authorized under laws allowing funding at previous levels and smaller essential operations budget bills.

**Tobacco Taxes/Tobacco Product Licensing:** Makes changes and additions to various state laws related to tobacco product licensing and tobacco taxes. Requires tobacco product licensees to renew their licenses after a set period of time.

S.B. 523, sect. 4.1-4.6, enacted 7/26/2019 and parts effective retroactive to 1/1/2019, 7/26/2019 & 1/1/2020.

**Tobacco Product Sales Restrictions:** Establishes additional regulations and requirements concerning sales of tobacco products, except cigars, made over the Internet, by telephone, through the mail or by other remote sales methods.

S.B. 523, sect. 4.7, enacted 7/26/2019 and effective 10/1/2019.

### **NORTH DAKOTA**

**Tobacco Control Program Funding:** Allocated \$5,441,500 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Department of Health Budget (H.B. 1004) enacted 4/26/2019 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021).

**Tobacco Taxes:** Relates to state tribal agreements for the administration and collection of tobacco products wholesale tax within the exterior boundaries of the Fort Berthold Reservation, Lake Traverse Reservation, Spirit Lake Reservation, Standing Rock Reservation, or Turtle Mountain Reservation.

S.B. 2257 enacted and effective 3/28/2019.

**E-Cigarette Taxes:** Creates a legislative management study to investigate the feasibility and desirability of taxation of liquid nicotine and electronic smoking devices.

S.B. 2355 enacted 3/26/2019 and effective 8/1/2019.

**Flavored Tobacco Products:** Prohibits the sale of flavored tobacco products to persons under age 18. H.B. 1477 enacted 4/8/2019 and effective 8/1/2019.

### **OHIO**

**Tobacco Control Program Funding:** Allocated \$12,255,358 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Budget (H.B. 166) enacted and effective 7/18/2019 (FY2020) & 7/1/2020 (FY2021).



Minimum Age: Increased the tobacco sale age from 18 to 21. Updates penalties for selling to those under 21. Updates tobacco product definitions to include vapor products.  
H.B. 166 enacted 7/18/2019 and effective 10/17/2019.

E-Cigarette Taxes/Licensing: Establishes a \$0.01 tax multiplied by the volume of a vapor product at the time it is received in the state of Ohio. Requires vapor distributors as defined to obtain a license.  
H.B. 166 enacted 7/18/2019 and effective 10/17/2019.

### **OKLAHOMA**

Tobacco Control Program Funding: Allocated \$21,637,258 in state funding for tobacco prevention and cessation programs in FY2020.  
FY2020 Annual Budget (H.B. 2765) enacted 5/23/2019 and effective 7/1/2019 & interest generated by the Tobacco Settlement Endowment Trust Fund and certified for use on tobacco control programs in FY2020.

Smokefree Air: Adds marijuana smoking and vaping to some existing state restrictions on tobacco smoking, and makes clear which restrictions and exemptions apply to what types of smoking/vaping.  
H.B. 2601 enacted 5/28/2019 and effective 8/30/2019.

Tobacco-Free Schools: Adds e-cigarettes (defined as vapor products) to existing state smoking restrictions in and on the property of K-12 schools.  
S.B. 33 enacted and effective 4/15/2019.

### **OREGON**

Tobacco Control Program Funding: Allocated \$7,906,500 in state funding for tobacco prevention and cessation programs in FY2020.  
FY2020-FY2021 Biennial Oregon Health Authority Budget (S.B. 5525) enacted 8/9/2019 and effective retroactive to 7/1/2019 (FY2020) & 7/1/2020 (FY2021).

Licensing/Tobacco Taxes/Tobacco Settlement: Prohibits a person licensed to distribute cigarettes or tobacco products from affixing state tax stamps or purchasing untaxed roll your own tobacco unless that person certifies to the Attorney General that the cigarettes and tobacco were purchased directly from a manufacturer. Allows the assignment of moneys in an MSA non-participating manufacturer's qualified escrow fund to the state under certain circumstances.  
S.B. 185 enacted and effective 6/4/2019.

Youth Access Laws: Provided authority to the Oregon Health Authority to receive money and enter into agreements with federal agencies to regulate and prevent the use of tobacco products and inhalant delivery systems.  
S.B. 29 enacted and effective 6/20/2019.

Tobacco Taxes: Refers a measure to the November 2020 ballot increasing the cigarette tax by \$2.00 per pack and changing how tax revenue is distributed, including sending revenue from 20 cents of the tax to tobacco prevention and cessation programs.  
H.B. 2270 enacted 7/09/2019 and effective 1/1/2020.



Use of Tobacco Settlement Dollars: Allocates funds from the tobacco Master Settlement Agreement for FY2020-FY2021 biennium.

H.B. 5038 enacted 7/23/2019 and effective retroactive to 7/1/2019.

### **PENNSYLVANIA**

Tobacco Control Program Funding: Allocated \$15,146,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Allocation based on S.B. 712, sect. 11, enacted 6/28/2019 and effective 7/1/2019.

Use of Tobacco Settlement Dollars: Amends how MSA dollars are distributed overall and specifies how MSA dollars in the Tobacco Settlement Fund will be disbursed in FY2020.

S.B. 712, sect. 10 & 11, enacted 6/28/2019 and effective 7/1/2019.

Minimum Age: Increased the minimum tobacco sale age from 18 to 21 and adds e-cigarettes to youth access laws.

S.B. 473 enacted 11/27/2019 and effective 7/1/2020.

Tobacco-Free Schools: Adds e-cigarettes to the existing state smoking restrictions in and on the property of K-12 schools.

H.B. 97 enacted 11/27/19 and effective 1/27/2020.

### **RHODE ISLAND**

Tobacco Control Program Funding: Allocated \$394,955 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 5151) enacted and effective 7/5/2019.

### **SOUTH CAROLINA**

Tobacco Control Program Funding: Allocated \$5,000,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 4000) enacted 6/25/2019 and effective 7/1/2019.

Youth Access Laws: Amends the Youth Access to Tobacco Prevention Act. Prohibits minors from entering retail establishments that primarily sell tobacco products, alternative nicotine products, or both. Defines alternative nicotine products and prohibits tobacco (including e-cigarette) use in schools.

H.B. 3420 enacted and effective on 4/26/2019.

Tobacco Use/State Employee Health Plans: In FY2020, the state Budget and Control Board is authorized to impose a surcharge on enrollee rates based on tobacco use. The surcharge cannot exceed \$40 per month for a subscriber or \$60 per month for a subscriber and dependents.

H.B. 4000, sect. 108.3 enacted 6/25/19 and effective 7/1/19.

Use of Tobacco Settlement Dollars: Specifies how any tobacco Master Settlement Agreement dollars available in FY2020 will be allocated. Also, allows any unexpended MSA funds from FY2019 to be carried forward by state agencies and spent for the same purpose.

H.B. 4000, sect. 117.35 & 118.11 enacted 6/25/19 and effective 7/1/19.



Tobacco Taxes: Makes cigarettes that do not have stamps affixed to their package contraband in certain circumstances.

S.B. 310 enacted and effective 5/13/2019.

Tobacco Taxes: Provides a grace period from 1/1/2019 to 10/1/2019 related to implementation of tax stamps on cigarettes. Unstamped packages of cigarettes for which applicable taxes have been paid are not considered contraband if a report has been filed with the Department of Revenue.

H.B. 3849 enacted and effective 3/20/2019.

### **SOUTH DAKOTA**

Tobacco Control Program Funding: Allocated \$4,500,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (S.B. 191) enacted 3/29/2019 and effective 7/1/2019.

Smokefree Air: Includes e-cigarettes in the smokefree workplace law by adding them to the definition of smoking.

H.B. 1209 enacted 3/27/2019 and effective 7/1/2019.

Tobacco Settlement: Authorizes certain tobacco manufacturers to assign to the state the interest of the manufacturer in any money in a qualified escrow fund.

S.B. 21 enacted 2/5/2019 and effective 7/1/2019.

Destruction of Contraband: Any cigarettes seized by the State shall be confiscated, forfeited, and destroyed.

H.B. 1017 enacted 1/31/2019 and effective 7/1/2019.

### **TENNESSEE**

Tobacco Control Program Funding: Allocated \$2,000,000 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 1508) enacted 5/17/2019 and effective 7/1/2019.

Smokefree Air: Restricts the places in which one may use vapor products. Vapor products not allowed to be used in public and private K-12 schools, museums, zoos, healthcare facilities, group care homes, and community centers.

S.B. 26 enacted and effective 4/17/2019.

Youth Access Laws: Amends the Prevention of Youth Access to Tobacco and Vapor Products Act and renames the Act as the Prevention of Youth Access to Tobacco, Smoking Hemp, and Vapor Products Act. Prohibits the sale or distribution of smoking hemp products to or purchase of smoking hemp products on behalf of a minor.

S.B. 360 enacted 3/13/2019 and effective 5/8/2019.

E-Cigarette Taxes: Requires Department of Revenue to collect information on sales taxes collected from the in-person and online sale of e-cigarettes.

S.B. 276 enacted 4/4/2019 and effective 5/10/2019.



### **TEXAS**

Tobacco Control Program Funding: Allocated \$4,671,912 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Budget (H.B. 1) enacted 6/15/2019 and effective 9/1/2019 (FY2020) & 9/1/2020 (FY2021).

Minimum Age: Increases the tobacco sales age from 18 to 21, except for those with military identification or are born on or before 8/21/2001. Revises provisions relating to the distribution, possession, purchase, consumption, and receipt of cigarettes, e cigarettes, and tobacco products.

S.B. 21 enacted 6/7/2019 and effective 9/1/2019.

Tobacco Taxes/Licensing: Revises provisions relating to permits for persons/entities dealing in cigarettes and the administration, collection and remittance of the cigarette tax.

H.B. 4614 enacted 6/14/2019 and effective 9/1/2019.

Tobacco Taxes/Licensing: Revises provisions relating to permits for persons/entities dealing in tobacco products other than cigarettes and the administration, collection, and remittance of the cigar and tobacco products taxes. Requires persons/entities dealing in e-cigarettes to obtain a permit by adding them to the definition of tobacco products.

H.B. 3475 enacted 6/10/2019 and effective 9/1/2019.

Tobacco Surcharge/State Health Plan: In FY2020 and FY2021, requires the Employee Retirement System to automatically apply a \$30 monthly tobacco user fee to any individual aged 18 or older covered under the state health plan unless the individual certifies they don't use tobacco.

H.B. 1 enacted 6/15/2019 and effective 9/1/2019 (FY2020) & 9/1/2020 (FY2021).

### **UTAH**

Tobacco Control Program Funding: Allocated \$7,026,000 In state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Social Services Budget (S.B. 7) enacted 2/19/2019 and effective 7/1/2019.

Minimum Age: Increased the tobacco sale age from 18 to 21 except for 20-year-olds beginning 7/1/2020 and ending 6/30/2021. Restricts minor access to specialty tobacco businesses.

H.B. 324 enacted 3/25/2019 and effective 7/1/2020.

Tobacco Licensing: Makes change to licensing of tobacco specialty businesses where retail permits cannot be denied to those who obtained a license to operate before 12/31/2015.

H.B. 338 enacted 3/22/2019 and effective 5/14/2019.

### **VERMONT**

Tobacco Control Program Funding: Allocated \$2,692,021 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020 Annual Budget (H.B. 542) enacted 6/15/2019 and effective 7/1/2019.

Minimum Age: Increased the tobacco sales age from 18 to 21 and updates state youth access to tobacco laws.

S.B. 86 enacted on 5/16/2019 and effective on 9/1/2019.



Tobacco Taxes: Establishes 92% of wholesale price tax on e-cigarettes and other tobacco products. H.B. 47 enacted and effective on 5/23/2019.

Non-Face-to-Face Sales of Tobacco Products: Prohibits non face-to-face sales of tobacco products or tobacco paraphernalia except to licensed wholesalers or retailers. H.B. 26 enacted 5/16/2019 and effective 7/1/2019.

Use of Tobacco Settlement Dollars: Transfers \$1.5 million from the Tobacco Litigation Settlement Fund to the General Fund in FY2019. Specifies that monies in the Tobacco Litigation Settlement Fund at the end of FY2019 will remain in the Fund and not be transferred to the Tobacco Trust Fund as specified under current state law. H.B. 542 § C.103 enacted and effective 6/18/2019.

#### **VIRGINIA**

Tobacco Control Program Funding: Allocated \$9,717,356 in state funding for tobacco prevention and cessation programs in FY2020.

FY2019-FY2020 Biennial Budget Adjustments (H.B. 1700) enacted 5/2/2019 and effective 7/1/2019 (FY2020).

Minimum Age: Increased minimum sale age for tobacco products from 18 to 21 with exemptions for active duty military personnel from certain provisions. Updates other youth access to tobacco product laws, including concerning vending machines. H.B. 2748 enacted on 2/21/2019 and effective on 7/1/2019.

Tobacco Taxes: Authorizes the Joint Subcommittee to Evaluate Tax Preferences to continue studying tobacco taxes in relation to tobacco harm reduction and local government taxation. A report with recommendations is due to the legislature by November 1, 2019. H.B. 1700, sect. 3-5.17 enacted and effective 5/2/2019.

#### **WASHINGTON**

Tobacco Control Program Funding: Allocated \$2,132,505 in state funding for tobacco prevention and cessation programs in FY2020.

FY2020-FY2021 Biennial Budget (H.B. 1109) enacted 5/21/2019 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021).

Minimum Age: Increased the minimum sales age for tobacco products from 18 to 21, and makes conforming changes to many state youth access to tobacco laws. H.B. 1074 enacted 3/29/2019 and effective on 1/1/2020.

Tobacco Taxes: Establishes a tax on e-cigarettes of 27 cents per milliliter of solution, and 9 cents per milliliter on containers of e-liquid solution over five milliliters. Dedicates tax revenue, and adds provisions and makes other conforming changes to tobacco tax laws. H.B. 1873 enacted on 5/21/2019 and effective on 10/1/2019.



Tobacco Product Surcharge/State Employees: Requires the Public Employee Benefits Board to collect a \$25 per month surcharge payment in addition to health insurance premiums from state employees that use tobacco products. The surcharge is no less than \$50 per month if the member covers a spouse or domestic partner on the plan. Applies to FY2020 and FY2021 biennium.  
H.B. 1109, sect. 212(4) enacted 5/21/2019 and effective 7/1/2019.

#### **WEST VIRGINIA**

Tobacco Control Program Funding: Allocated \$500,000 in state funding for tobacco prevention and cessation programs in FY2020.  
FY2020 Annual Budget (H.B. 2020) enacted 3/8/2019 and effective 7/1/2019.

#### **WISCONSIN**

Tobacco Control Program Funding: Allocated \$5,300,000 in state funding for tobacco prevention and cessation programs in FY2020.  
FY2020-FY2021 Biennial Budget (A.B. 56) enacted 7/3/2019 and effective retroactive to 7/1/2019 (FY2020) and 7/1/2020 (FY2021).

Tobacco Taxes/Licensing: Establishes a 5 cents per milliliter tax on e-cigarettes (vapor products) as defined. Requires distributors of vapor products to obtain a permit from the Department of Revenue. Updates tobacco tax definitions and laws to apply to vapor products.  
A.B. 56, sects. 1753b to 1757w, enacted 7/3/2019 and effective 10/1/2019.

#### **WYOMING**

Tobacco Control Program Funding: Allocated \$3,804,789 In state funding for tobacco prevention and cessation programs in FY2020.  
FY2019-FY2020 Biennial Budget Adjustments (H.B. 1) enacted 2/26/2019 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021).