



Tobacco Control Legislation Passed in 2020 - by State

ALABAMA

Tobacco Control Program Funding: Allocated \$1,512,812 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021 Annual Budget (S.B. 157) enacted 5/18/2020 and effective 10/1/2020 and FY2021 MSA Payment Annual Budget (S.B. 158) enacted 5/18/2020 and effective 10/1/2020.

ALASKA

Tobacco Control Program Funding: Allocated \$9,147,500 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021 Annual Budget (H.B. 205) enacted 4/6/2020 and effective 7/1/2020.

ARIZONA

Tobacco Control Program Funding: Allocated \$18,500,000 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021 Annual Budget (S.B. 1692) enacted 3/28/2020 and effective 7/1/2020.

ARKANSAS

Tobacco Control Program Funding: Allocated \$10,819,457 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021 Tobacco Prevention and Cessation Programs Budget (H.B. 1097) enacted 4/17/2020 and effective 7/1/2020.

CALIFORNIA

Tobacco Control Program Funding: Allocated \$238,372,000 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021 Annual Budget (S.B. 74) enacted 6/29/2020 and effective 7/1/2020.

Flavored Tobacco Products: Prohibits the sale of most flavored tobacco products in the state, including menthol cigarettes. Exempts flavored shisha tobacco used in hookahs, premium cigars as defined, loose-leaf tobacco and pipe tobacco subject to restrictions in certain cases.
S.B. 793 enacted 8/28/2020 and effective 1/1/2021.

COLORADO

Tobacco Control Program Funding: Allocated \$19,992,712 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021 Annual Budget (H.B. 1360) enacted 6/22/2020 and effective 7/1/2020.

Tobacco Taxes/Tobacco Control Program Funding: Increases the cigarette tax by \$1.10 to \$1.94 per pack, and by additional smaller amounts in future years. Increases taxes on other tobacco products and establishes a new tax on e-cigarettes. Allocates revenue to various purposes, including to tobacco control programs in future years.

H.B. 1427 (referring measure to ballot) enacted and effective 7/8/2020 & Proposition EE approved by voters 67.6% to 32.4% 11/3/2020 and effective 1/1/2021.



Minimum Age/Tobacco Product Licensing: Increases the state age of sale for tobacco products to 21. Makes significant changes to state laws regulating sales of tobacco products, including removing provisions that made it illegal for underage persons to purchase or possess tobacco products. Requires retailers of tobacco products, including e-cigarettes to obtain a state license in order to sell such products.

H.B. 1001 enacted and effective 7/14/2020.

CONNECTICUT

Tobacco Control Program Funding: Allocated \$0 in state funding for tobacco prevention and cessation programs in FY2021.

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 (2018).

DELAWARE

Tobacco Control Program Funding: Allocated \$7,088,900 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (S.B. 240) enacted 6/30/2020 and effective 7/1/2020.

DISTRICT OF COLUMBIA

Tobacco Control Program Funding: Allocated \$1,900,000 in city funding for tobacco prevention and cessation programs in FY2021.

FY2021 Local Budget Act of 2020 (B23-761) passed by the City Council 7/23/2020, signed by mayor 8/31/2020, passed U.S. Congressional Review Period and effective retroactive to 10/1/2020.

FLORIDA

Tobacco Control Program Funding: Allocated \$73,385,707 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (H.B. 5001) enacted 6/29/2020 and effective 7/1/2020.

Tobacco Products/Location Restrictions: Prohibits vapor-generating electronic devices and marijuana from being brought into certain government facilities, including correctional facilities.

S.B. 1286 enacted 6/20/2020 and effective 10/1/2020.

GEORGIA

Tobacco Control Program Funding: Allocated \$750,000 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (H.B. 793) enacted 6/30/2020 and effective 7/1/2020.

Minimum Age/Tobacco Product Sales Laws: Increases the state age of sale for tobacco products to 21. Makes conforming and other changes to state tobacco product sales laws, including adding further penalties for underage purchase and use of tobacco products, prohibiting use of vapor products in school safety zones and prohibiting non-face-to-face sales except by licensed entities under certain conditions.

S.B. 375 enacted 7/22/2020 and parts effective 7/22/2020 and 1/1/2021.



Tobacco Taxes/Tobacco Product Licensing: Establishes several different taxes on consumable vapor products depending on if they are closed or open system products as defined. Requires various entities dealing in alternative nicotine products or vapor products to obtain licenses. Applies many tobacco product tax laws to alternative nicotine products and vapor products.
S.B. 375, sect. 2 enacted 7/22/2020 and effective 1/1/2021.

Tobacco Product Licensing: Allows licensed dealers of tobacco products to apply for temporary special event permits at temporary locations offsite. Permits are available for up to 10 days.
S.B. 144 enacted and effective 7/29/2020.

HAWAII

Tobacco Control Program Funding: Allocated \$7,920,839 in state funding for tobacco prevention and cessation programs in FY2021.
FY2020-FY2021 Biennial Budget Adjustments (H.B. 2200) enacted (became law without the governor's signature) and effective 7/7/2020 and Allocation for calendar year 2020 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.
FY2021 Department of Health & Welfare Public Health Services Appropriations (S.B. 1415) enacted 3/24/2020 and effective 7/1/2020 and FY2021 Public Health District Appropriations (S.B. 1353) enacted 3/23/2020 and effective 7/1/2020.

Youth Access/Tobacco Product Sales Laws: Updates definitions of tobacco products and e-cigarettes in state law. Applies all youth access to tobacco laws to e-cigarettes not already applied, including requiring e-cigarette retailers to obtain a permit.
H.B. 538 enacted 3/26/2020 and effective 7/1/2020.

Smokefree Air: Updates rules of the Senate to prohibit the use of tobacco products and e-cigarettes in virtually all areas used by the Senate.
S.R. 104, adopted by Senate 2/26/2020.

ILLINOIS

Tobacco Control Program Funding: Allocated \$15,100,000 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021 Annual Budget (S.B. 264) enacted 6/10/2020 and effective 7/1/2020.

INDIANA

Tobacco Control Program Funding: Allocated \$7,500,000 in state funding for tobacco prevention and cessation programs in FY2021.
FY2020-FY2021 Biennial Budget (H.B. 1001) enacted 4/29/19 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021).

Minimum Age/Tobacco Product Sales: Increases the state age of sale for tobacco products to 21 and updates most tobacco product sales laws. Prohibits new tobacco and vaping businesses as defined from locating within 1,000 feet of schools after June 30, 2020.
S.B. 1 enacted 3/18/2020 and effective 7/1/2020.



IOWA

Tobacco Control Program Funding: Allocated \$4,021,000 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Health and Human Services Appropriations (H.F. 2578) enacted 6/14/2020 and effective 7/1/2020.

Minimum Age/Tobacco Product Sales: Increases the sales age for tobacco products to 21 and makes conforming changes in other tobacco product sales laws.

S.B. 2268 enacted and effective 6/29/2020.

KANSAS

Tobacco Control Program Funding: Allocated \$1,001,960 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (S.B. 66) enacted 3/25/2020 and effective 7/1/2020.

KENTUCKY

Tobacco Control Program Funding: Allocated \$2,000,000 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (H.B. 352) enacted (by veto override) 4/14/2020 and effective 7/1/2020.

Tobacco Taxes/Licensing: Establishes separate taxes on closed vapor cartridges and open vaping systems as defined. Requires distributors of vapor products to obtain a license from the state Department of Revenue and applies existing licensing requirements for tobacco products to vapor products.

H.B. 351, sect. 50-56, enacted (by veto override) 4/14/2020 and effective 8/1/2020.

Minimum Age/Tobacco Product Sales Laws: Increases the state age of sale for tobacco products to 21. Makes conforming changes to other state tobacco product sales laws, and removes penalties for persons under age 21 purchasing tobacco products.

S.B. 56 enacted and effective 3/26/2020.

LOUISIANA

Tobacco Control Program Funding: Allocated \$12,592,753 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (H.B. 1, 1st special session 2020) enacted 7/7/2020 and effective retroactive to 7/1/2020 & 2020 allocations from the Smoking Cessation Trust.

Smoking in Vehicles: Adds e-cigarettes to the law prohibiting smoking in motor vehicles if a kid required to be restrained in child safety seats as specified is present in the vehicle.

H.B. 109 enacted 6/5/2020 and effective 8/1/2020.

MAINE

Tobacco Control Program Funding: Allocated \$13,899,175 in state funding for tobacco prevention and cessation programs in FY2021.

FY2020-FY2021 Biennial Budget (H.P. 743/L.D. 1001) enacted 6/17/19 and effective 7/1/19 (FY2020) & 7/1/20 (FY2021); & FY2020-FY2021 Biennial Supplemental Appropriations (H.P. 1516/L.D. 2126) enacted 3/18/20 and effective 3/18/20 (FY2020) & 7/1/20 (FY2021).



Tobacco Product Litter: Adds waste materials, including cigarette butts resulting from the use of tobacco products to the definition of litter in state law prohibiting disposal of same in certain outdoor places and bodies of water.

H.P. 401/L.D. 544 enacted 3/18/2020 and effective 6/16/2020.

Smoking in Vehicles: Amends law prohibiting smoking in vehicles when a child under a certain age is present, by increasing the age of the child to which the law applies to age 18.

S.P. 313/L.D. 1081 enacted 3/18/2020 and effective 6/16/2020.

MARYLAND

Tobacco Control Program Funding: Allocated \$10,835,979 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (S.B. 190) enacted (became law without the governor's signature) 5/8/2020 and effective 7/1/2020.

Tobacco Taxes/Licensing: Gives implementation and enforcement authority for licensing of tobacco products to the Alcohol and Tobacco Commission and requires the state Comptroller and the Commission to jointly collect and enforce tobacco product taxes.

H.B. 900/S.B. 911 enacted (became law without the Governor's signature) 5/8/2020 and effective 6/1/2020.

MASSACHUSETTS

Tobacco Control Program Funding: Allocated \$5,118,115 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (H.B. 5164) enacted (line-item veto reducing amount overridden) and effective 12/28/2020.

MICHIGAN

Tobacco Control Program Funding: Allocated \$1,838,100 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (H.B. 5396) enacted 9/30/2020 and effective 10/1/2020.

MINNESOTA

Tobacco Control Program Funding: Allocated \$12,443,587 in state funding for tobacco prevention and cessation programs in FY2021.

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).

Minimum Age/Tobacco Product Sales: Increases the age of sale for tobacco products to 21. Makes a number of additions and changes to state law regulating tobacco product sales, including adding requirements to post signage concerning underage sales in retail stores and to check photo ID prior to purchase. Removes provisions and penalties for purchase, use and possession by persons under age 21 except use of false ID.

H.B. 331 enacted 5/16/2020 and effective 8/1/2020.



MISSISSIPPI

Tobacco Control Program Funding: Allocated \$8,695,000 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Department of Health Appropriations (H.B. 1712) enacted 7/8/2020 and effective retroactive to 7/1/2020.

Minimum Age/Tobacco Product Sales: Increases the age of sale for alternative nicotine products to 21. Increases the age to 21 for purchase/possession of tobacco products and alternative nicotine products and adds penalties. Makes conforming changes to laws regulating alternative nicotine products and prohibits sales of e-cigarettes within a certain distance from schools. Updates state preemption to include additional sections of state law related to tobacco products or alternative nicotine products. S.B. 2596 enacted and effective 7/8/2020.

Use of Tobacco Settlement Dollars/Tobacco Control Program Funding: Makes a change to how state tobacco settlement dollars are allocated in the Tobacco Control Program Fund. Requires all unexpended monies appropriated from the Tobacco Control Program Fund to lapse to the Health Care Expendable Fund beginning in fiscal year 2020.

H.B. 127, sect. 2, enacted and effective 7/8/2020.

Tobacco Product Sales: Requires sales and delivery of tobacco products between manufacturers/wholesale dealers and retailers to only occur on cash or terms, and outlines penalties for violation.

H.B. 1486 enacted 6/22/2020 and effective 7/1/2020.

MISSOURI

Tobacco Control Program Funding: Allocated \$171,885 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Department of Health and Senior Services and other agencies Annual Budget (H.B. 2010) enacted 6/30/2020 and effective 7/1/2020.

Smokefree Air: Applies statewide restrictions on tobacco product use in K-12 schools to e-cigarettes referred to as vapor products.

H.B. 1682 enacted and effective 7/13/2020.

MONTANA

Tobacco Control Program Funding: Allocated \$4,852,260 in state funding for tobacco prevention and cessation programs in FY2021.

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

NEBRASKA

Tobacco Control Program Funding: Allocated \$2,570,000 in state funding for tobacco prevention and cessation programs in FY2021.

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



Smokefree Air/E-Cigarettes: Prohibits e-cigarette use in virtually all public places and workplaces by adding them into the definition of smoking in the state smokefree workplace law.
L.B. 840 enacted 8/6/2020 and effective 11/14/2020.

Minimum Age/Tobacco Product Sales: Increases the age of sale for tobacco products to 21. Makes conforming changes to other tobacco product sales laws and adds language to state law allowing compliance checks using persons under age 21 to check for violations.
L.B. 1064 enacted 8/15/2020 and effective 8/16/2020.

NEVADA

Tobacco Control Program Funding: Allocated \$3,450,000 in state funding for tobacco prevention and cessation programs in FY2021.
FY2020-FY2021 Biennial Budget (A.B. 543) enacted 6/12/2019 and effective 7/1/2019 (FY2020) & 7/1/2020 (FY2021).

NEW HAMPSHIRE

Tobacco Control Program Funding: Allocated \$360,000 in state funding for tobacco prevention and cessation programs in FY2021.
FY2020-FY2021 Biennial Budget (H.B. 3) enacted 9/26/2019 and effective retroactive to 7/1/2019 (FY2020) & 7/1/2020 (FY2021).

Minimum Age/Tobacco Product Sales Laws: Increases the age of sale for tobacco products to 21. Makes conforming changes to state tobacco product sales laws and laws restricting smoking in public places and workplaces.
H.B. 1245, §§ 37:105 to 37:118 enacted and effective 7/29/2020.

NEW JERSEY

Tobacco Control Program Funding: Allocated \$7,815,000 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021 Annual Budget (S.B. 2021) enacted 9/30/2020 and effective 10/1/2020.

Tobacco Cessation Coverage: Adds comprehensive tobacco cessation benefits as an authorized service that can be provided by the state Medicaid program. Outlines tobacco cessation medications and services that need to be covered and prohibits the coverage from being subject to certain barriers to coverage.
A.B. 2444 enacted and effective 1/21/2020.

Coupons/Discounts for Tobacco Products: Prohibits retailers from offering, providing or accepting coupons or other price reduction promotions or rebates for tobacco products, including e-cigarettes.
S.B. 1647 enacted 1/21/2020 and effective 3/1/2020.

Flavored Tobacco Products: Prohibits the sale of flavored vapor products that have a characterizing flavor as defined. Includes all flavors except tobacco.
S.B. 3265 enacted 1/21/2020 and effective 4/20/2020.

Smokefree Air: Adds the outdoor passenger pick-up and drop-off areas of an airport to places where smoking is prohibited under the state smokefree air law.
A.B. 5028 enacted 1/21/2020 and effective 7/19/2020.



NEW MEXICO

Tobacco Control Program Funding: Appropriated \$5,514,006 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (H.B. 2) enacted 3/11/2020 and effective 7/1/2020.

Minimum Age/Tobacco Products Sales/Licensing: Increases the minimum age of sale for tobacco products to 21. Makes conforming and substantive changes to state tobacco product sales laws, including repealing the law making purchase/possession of tobacco products by minors under age 21 illegal. Requires licenses for the sale, manufacture and distribution of tobacco products.

S.B. 131 enacted 3/4/2020 and effective 1/1/2021.

NEW YORK

Tobacco Control Program Funding: Allocated \$39,769,600 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (S.B. 7500) enacted 4/15/2020 and effective retroactive to 4/1/2020.

Flavored Tobacco Products: Prohibits the sale of flavored e-cigarettes (vapor products) and proscribes penalties for violation. Exempts flavored e-cigarettes that have received a premarket review order from FDA as specified.

S.B. 7506, Part EE, sect. 1, enacted 4/3/2020 and effective 5/18/2020.

Tobacco Sales in Pharmacies: Prohibits the sale of tobacco products in pharmacies or in a retail establishment that contains a pharmacy operated as a department as defined.

S.B. 7506, Part EE, sect. 1, enacted 4/3/2020 and effective 5/18/2020.

Coupons/Discounts for Tobacco Products: Prohibits the redemption of price reduction instruments as defined, sales through multi-pack discounts and otherwise selling tobacco products for less than the listed price or non-discounted price.

S.B. 7506, Part EE, sect. 4, enacted 4/3/2020 and effective 7/1/2020.

Youth Access/Tobacco Product Sales: Adds e-cigarettes to laws prohibiting remote sales of tobacco products and restricting sampling of tobacco products. Fully adds e-cigarettes to enforcement provisions for tobacco products in state law. Increases penalties for violation of underage tobacco product sales laws.

S.B. 7506, Part EE, enacted 4/3/2020 and effective 7/1/2020.

E-cigarette Regulation: Authorizes the regulation of "carrier oils" used in e-cigarettes and requires disclosure of ingredients in e-cigarettes.

S.B. 7506, Part EE, sects 1 & 5 enacted 4/3/2020 and effective 5/18/2020 (regulation of carrier oils) and 7/1/2020 (ingredient disclosure).

Tobacco Control & Prevention Programs: Fully adds e-cigarettes into various tobacco control and prevention program-related state laws. Authorizes the establishment and development of an electronic cigarette and vaping prevention, control and awareness program as specified.

S.B. 7506, Part EE, enacted 4/3/2020 and effective 7/1/2020.



Tobacco Product Advertising: Prohibits the placement of advertisements for smoking paraphernalia or tobacco product, electronic cigarette, or vapor product in a store front or exterior window or any door used by the public to the building or structure within 1,500 feet of schools except 500 feet is the distance in New York City.

S.B. 7506, Part EE, sect. 13 enacted 4/3/2020 and effective 7/1/2020.

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. Adds a general record-keeping requirement for tobacco product licensees.

H.B. 1080, sect. 2.1-2.7, enacted and effective 6/30/2020.

NORTH DAKOTA

Tobacco Control Program Funding: Allocated \$5,441,500 in state funding for tobacco prevention and cessation programs in FY2021.

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

OHIO

Tobacco Control Program Funding: Allocated \$12,300,000 in state funding for tobacco prevention and cessation programs in FY2021.

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

Tobacco Cessation Coverage: Requires comprehensive tobacco cessation coverage for enrollees in the state Medicaid program and in all state employee health plans with only limited barriers to coverage allowed.

H.B. 11 enacted 6/19/2020 and effective 9/18/2020.

OKLAHOMA

Tobacco Control Program Funding: Allocated \$21,665,601 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (S.B. 1922) enacted (by veto override) 5/13/2020 and effective 7/1/2020 & interest generated by the Tobacco Settlement Endowment Trust Fund and certified for use on tobacco control programs in FY2021.

Minimum Age/Tobacco Product Sales: Increases the minimum age of sale for tobacco products to 21. Makes conforming changes to state laws regulating tobacco product sales.

S.B. 1423 enacted and effective 5/19/2020.



Use of Tobacco Settlement Dollars: Legislature-referred constitutional amendment that would have reduced the amount of future annual tobacco Master Settlement Agreement payments going to the Tobacco Settlement Endowment Trust Fund from 75% to 25%. The amendment became State Question 814, which was rejected by voters in November 2020. S.J.R. 27 adopted by legislature and referred to Secretary of State 5/15/2020 & State Question 814, rejected by voters 58.79% to 41.21% on 11/3/2020.

Use of Tobacco Settlement Dollars: Legislation that would have re-allocated how the 25% of annual tobacco MSA payments not going to the Tobacco Settlement Endowment Trust Fund above was distributed. The changes did not take effect because State Question 814 was rejected by voters. S.B. 1529 enacted 5/21/2020 and effective 11/1/2020.

OREGON

Tobacco Control Program Funding: Allocated \$9,081,500 in state funding for tobacco prevention and cessation programs in FY2021.

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).

Tobacco Taxes/Tobacco Prevention Funding: Voters approved a ballot measure in November 2020 referred to the ballot by the legislature in 2019 that increases the cigarette tax by \$2.00 per pack, increases the tax cap on cigars, establishes a new tax on e-cigarettes and allocates a portion of the new revenue to tobacco prevention/cessation programs.

Measure 108, approved by voters 66.3% to 33.7% on 11/3/2020 and effective 1/1/2021.

PENNSYLVANIA

Tobacco Control Program Funding: Allocated \$14,672,000 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Allocation based on H.B. 1083, sect. 5, enacted 5/29/2020 and effective 7/1/2020.

Use of Tobacco Settlement Dollars: Amends state Fiscal Code and specifies how MSA dollars in the Tobacco Settlement Fund will be disbursed in FY2021.

H.B. 1083, sect. 5, enacted 5/29/2020 and effective 7/1/2020.

RHODE ISLAND

Tobacco Control Program Funding: Allocated \$395,337 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (H.B. 7171) enacted 12/21/2020 and effective retroactive to 7/1/2020.

Preemption of Stronger Local Tobacco Control Laws: On January 31, 2020, the state Supreme Court issued a decision upholding a lower court decision that regulation of tobacco products is a matter of statewide concern, preempting most stronger local ordinances concerning the regulation of tobacco products without a specific grant of authority from the state legislature.

K&W Automotive, LLC, et al. v. Town of Barrington (2020).



SOUTH CAROLINA

Tobacco Control Program Funding: Allocated \$5,000,000 in state funding for tobacco prevention and cessation programs in FY2021.

No state budget passed in FY2021; state operated on continuing resolution at previous year's funding levels, HB 341 enacted and effective 5/18/2020.

SOUTH DAKOTA

Tobacco Control Program Funding: Allocated \$4,500,000 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (H.B. 1294) enacted 3/27/2020 and effective 7/1/2020.

Minimum Age/Tobacco Product Sales: Increases the age of sale for tobacco products to 21. Makes conforming and other changes to state tobacco product sales laws, including adding a requirement that merchants post a sign about underage sales being unlawful in their stores.

H.B. 1063 enacted 3/2/2020 and effective 7/1/2020.

TENNESSEE

Tobacco Control Program Funding: Allocated \$0 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Annual Budget (H.B. 2821) enacted 4/2/2020 and effective 7/1/2020.

Preemption/Smokefree Air: Allows local governments to pass resolutions or ordinances to prohibit smoking, not including vaping, in indoor or on outdoor playgrounds as specified.

S.B. 9 enacted 3/10/2020 and effective retroactive to 7/1/2019.

Minimum Age/Tobacco Product Sales: Increases the age of sale for tobacco products to 21. Makes conforming changes to state laws regulating tobacco product sales.

S.B. 2202 enacted 6/22/2020 and effective 1/1/2021.

TEXAS

Tobacco Control Program Funding: Allocated \$4,248,473 in state funding for tobacco prevention and cessation programs in FY2021.

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

UTAH

Tobacco Control Program Funding: Allocated \$15,300,000 in state funding for tobacco prevention and cessation programs in FY2021.

FY2021 Social Services Budget (H.B. 7) enacted 2/2/2020 and effective 7/1/2020 & Budget Balancing and Coronavirus Relief Appropriations Adjustments (S.B. 5001, fifth special session 2020) enacted 6/25/2020 and effective 7/1/2020.

Minimum Age/Tobacco Product Sales Laws: Increases the state age of sale for tobacco products to 21. Makes extensive changes to state tobacco product sales laws, including updating definitions, adding provisions making further conduct by persons or retailers illegal, and requiring two compliance checks be conducted at all retailers per year. Expands the scope of state preemption on tobacco product sales.

H.B. 23 enacted 3/30/2020 and effective 7/1/2020 & S.B. 37 enacted 3/30/2020 and effective 7/1/2020.



Flavored Tobacco Product Restrictions: Prohibits the sale of many flavored e-cigarettes except products with tobacco, mint or menthol flavors or that receive a pre-market tobacco authorization from FDA. The restrictions do not apply to tobacco specialty retail stores as defined.
H.B. 23, sect. 28 enacted 3/30/2020 and effective 7/1/2020.

Tobacco Taxes/Tobacco Prevention Programs: Establishes new taxes on electronic cigarette substance, prefilled electronic cigarettes, alternative nicotine products, nontherapeutic nicotine device substance, and prefilled nontherapeutic nicotine devices as defined. Taxes for several products do not start until July 1, 2021. Allocates revenue to specific purposes, including to fund e-cigarette prevention programs established under the legislation.
S.B. 37 enacted 3/30/2020 and effective 7/1/2020.

Tobacco Use in Schools: Requires local education agencies to develop policies prohibiting electronic cigarette product use and possession by students on school property, for confiscation and disposal of the product and referral to law enforcement as specified. Includes electronic cigarette product in other school-based statutes and expands scope of existing substance abuse program in school to include e-cigarettes.
H.B. 58 enacted 3/28/2020 and parts effective 3/28/2020 & 5/12/2020.

Tobacco Product Sales Laws: Amends and clarifies the requirements that a retail tobacco specialty business must meet in order to receive an exemption from certain community location distancing provisions.
S.B. 6008 (4th special session 2020) enacted and effective 8/31/2020.

VERMONT

Tobacco Control Program Funding: Allocated \$2,692,021 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021 Annual Budget (H.B. 969) enacted and effective 10/2/2020.

Use of Tobacco Settlement Dollars: In or at the end of FY2021, transfers specified amounts from the state general fund to the Tobacco Litigation Settlement Fund and vice versa.
H.B. 542, sect. B.1123.1 & D.101 enacted and effective 10/2/2020.

VIRGINIA

Tobacco Control Program Funding: Allocated \$8,327,905 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021-FY2022 Biennial Budget (H.B. 30) enacted 5/21/2020 and effective 7/1/2020 (FY2021) and 7/1/2021 (FY2022).

Tobacco Taxes: Increases the cigarette tax by \$0.30 to \$0.60 per pack. Doubles the tax on existing other tobacco product taxes. Establishes a tax on liquid nicotine of \$0.66 per milliliter.
H.B. 30, part 3, sect. 3-5.21 enacted 5/21/2020 and effective 7/1/2020.

Tobacco Taxes: Establishes a tax of 2.25 cents per stick on heated tobacco products. Clarifies when a distributor for purposes of the tobacco products tax needs to register under state law.
H.B. 5005 (1st special session 2020), part 3, sect. 3-5.21 enacted 11/18/2020 and effective 1/1/2021.



Tobacco Cessation Coverage: Requires the state Department of Medical Assistance Services to amend the state plan to add coverage of tobacco cessation services for full coverage adults who are not enrolled pursuant to the Patient Protection and Affordable Care Act. The authority to implement the changes is effective July 1, 2020, and prior to the completion of any regulatory process undertaken to effect such changes.

H.B. 30, part 1, sect. 313, subsection XXXX, enacted 5/21/2020 and effective 7/1/2020.

Tobacco Taxes/Local Authority: Authorizes any county, city or town to impose a cigarette tax, but limits the amount to \$0.40 per pack of 20 or a higher rate levied by the local jurisdiction prior to January 1, 2020.

H.B. 785/S.B. 588 enacted 4/22/2020 and effective 7/1/2020.

Smoking in Vehicles with Kids: Increases the age of the child to 15 when smoking in motor vehicles is prohibited.

H.B. 578 enacted 4/9/2020 and effective 7/1/2020.

Smoking in Vehicles with Kids: Changes the enforcement provisions of the smoking in vehicles with kids under age 15 present law to prohibit law enforcement officers from stopping a vehicle solely for violation of the law.

H.B. 5058/S.B. 5029 (1st special session 2020) enacted 11/9/2020 and effective 3/1/2021.

Tobacco Education in Schools: Requires each K-12 school board in the state to provide educational information to parents of students about the health dangers of tobacco and nicotine vapor products as set up out in Department of Education guidelines.

H.B. 1073 enacted 4/6/2020 and effective 7/1/2020.

Youth Access to Tobacco Products: Allows an exception for medical research for specified purposes to the law prohibiting purchase or possession of tobacco products by persons under age 21.

H.B. 1570 enacted 3/31/2020 and effective 7/1/2020.

Tobacco Use in Schools: Adds vaping detectors to the definition of security equipment for the purposes of the Public School Security Equipment Grant Act of 2013.

S.B. 595 enacted 4/6/2020 and effective 7/1/2020.

Youth Access to Tobacco Products: Adds hemp products that are intended to be smoked to most state laws limiting youth access to tobacco products, including prohibiting the sale to persons under age 21.

H.B. 962 enacted 3/23/2020 and effective 7/1/2020.

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 final report with recommendations is required to be submitted to the legislature.

H.B. 30, part 3, sect. 3-5.17 enacted 5/21/2020 and effective 7/1/2020.

WASHINGTON

Tobacco Control Program Funding: Allocated \$2,132,506 in state funding for tobacco prevention and cessation programs in FY2021.

FY2020-FY2021 Biennial Budget Adjustments (S.B. 6168) enacted 4/3/2020 and effective 4/3/2020 (FY2020) & 7/1/2020 (FY2021).



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.
S.B. 6168, sect. 212(4) enacted 4/3/2020 and effective 7/1/2020.

E-cigarettes/Marijuana: Authorizes the issuance of rules prohibiting devices used in conjunction with or specified ingredients in marijuana vapor products and marijuana vapor product ingredient disclosure to the Department of Health. Outlines when characterizing flavors can be used in marijuana vapor products and that characterizing flavors can be prohibited under certain circumstances by rule.
H.B. 2826 enacted and effective 3/25/2020.

WEST VIRGINIA

Tobacco Control Program Funding: Allocated \$445,000 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021 Annual Budget (S.B. 150) enacted 3/12/2020 and effective 7/1/2020.

Tobacco Control Programs: Establishes the West Virginia Tobacco Use Prevention and Cessation Task Force to oversee and monitor tobacco prevention and reduction activities. Allows the tobacco control program to apply for and administer federal and private grants and donations made for the purpose of reducing and eliminating tobacco use.
H.B. 4494 enacted 3/24/2020 and effective 6/5/2020.

WISCONSIN

Tobacco Control Program Funding: Allocated \$5,315,000 in state funding for tobacco prevention and cessation programs in FY2021.
FY2020-FY2021 Biennial Budget (A.B. 56) enacted 7/3/2019 and effective retroactive to 7/1/2019 (FY2020) and 7/1/2020 (FY2021).

WYOMING

Tobacco Control Program Funding: Allocated \$2,350,663 in state funding for tobacco prevention and cessation programs in FY2021.
FY2021-FY2022 Biennial Budget (S.B. 1) enacted 3/12/2020 and effective 7/1/2020 (FY2021) & 7/1/2021 (FY2022).

Tobacco Taxes/Licensing: Establishes a tax on e-cigarettes and vapor material of 15% of the wholesale purchase price. Updates tobacco product wholesaler licensing requirements and disclosure of sales of tobacco products by vendors subject to sales tax to include e-cigarettes.
H.B. 73 enacted 3/10/2020 and effective 7/1/2020.

Minimum Age/Tobacco Product Sales Laws: Increases the age of sale for tobacco products, including e-cigarettes to 21. Makes conforming changes to state laws regulating tobacco product sales. Reduces penalties for persons under age 21 purchasing, using or possessing tobacco products.
S.B. 50 enacted 3/13/2020 and effective 7/1/2020.

Remote Tobacco Product Sales: Adds requirements for remote sales of tobacco products, including e-cigarettes to avoid sales to persons under age 21. Applies penalties for violation.
S.B. 42 enacted 3/13/2020 and effective 7/1/2020.