
OLR Bill Analysis

sHB 6110 (as amended by House "A" and "B")*

AN ACT CONCERNING THE ONLINE SALE AND DELIVERY OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS.

SUMMARY

This bill prohibits any person with a Department of Consumer Protection (DCP)-issued e-cigarette certificate of dealer registration from selling or shipping more than two vapor products and 30 cartridges of e-cigarette liquid to the same consumer in a one-month period.

It requires a dealer authorized to sell e-cigarettes (i.e., electronic nicotine delivery systems or vaping products) online and ship them directly to a Connecticut consumer to do the following at the time of sale:

1. (a) require the consumer to provide a copy of his or her valid driver's license or identity card or (b) verify the consumer's identity on a commercially available third-party database that businesses use for age verification and
2. ensure that the name on the license or identity card, or verified on the database, is identical to the name on the credit or debit card or other payment method used for the purchase.

By law, the dealer must also (1) obtain the signature of a person aged 21 or older at the address prior to delivery and after requiring the signer to provide a driver's license or identification card as proof of age and (2) include a shipping label on the package that conspicuously states:

"CONTAINS AN ELECTRONIC NICOTINE DELIVERY SYSTEM OR VAPOR PRODUCT - SIGNATURE OF A PERSON AGE 21 OR

OLDER REQUIRED FOR DELIVERY.”

The bill does not include enforcement provisions or penalties regarding these online sales.

The bill also expands the definition of “electronic cigarette liquid” to specifically include concentrated plant extracts or oils containing natural or synthetic ingredients. By law, an electronic cigarette liquid includes any liquid that produces a vapor that may be inhaled by the user of an electronic nicotine delivery system or vapor product.

*House Amendment “A” (1) changes, from 30 days to one month, the period in which a dealer can sell no more than 2 vapor products and 30 cartridges of e-cigarette liquid to someone; (2) excludes from certain “vapor product” regulations only those medicinal and therapeutic products that do not contain “characterizing flavor” (i.e., non-tobacco flavoring such as fruits or chocolate), rather than all medicinal or therapeutic products; and (3) expands the definition of electronic cigarette liquid to include concentrated plant extracts that may be inhaled by e-cigarette users.

*House Amendment “B” (1) removes the vapor product and “characterizing flavor” provisions in House Amendment “A,” and (2) further expands the definition of electronic cigarette liquid to include concentrated plant extracts or oils containing natural or synthetic ingredients.

EFFECTIVE DATE: July 1, 2021

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 13 Nay 0 (03/11/2021)