



House of Representatives

General Assembly

File No. 150

January Session, 2021

Substitute House Bill No. 6110

House of Representatives, March 29, 2021

The Committee on Children reported through REP. LINEHAN of the 103rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-418 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2021*):

3 (a) As used in this section:

4 (1) "Person" means any individual, firm, fiduciary, partnership,
5 corporation, limited liability company, trust or association, however
6 formed;

7 (2) "Electronic cigarette liquid" has the same meaning as provided in
8 section 21a-415;

9 ~~[(2)]~~ (3) "Electronic nicotine delivery system" has the same meaning
10 as provided in section 21a-415; and

11 ~~[(3)]~~ (4) "Vapor product" has the same meaning as provided in section
12 21a-415.

13 (b) A person with an electronic nicotine delivery system certificate of
 14 dealer registration, when selling and shipping an electronic nicotine
 15 delivery system or a vapor product directly to a consumer in the state,
 16 shall: (1) [Ensure] At the time of sale (A) require such consumer to
 17 provide a copy of such consumer's valid motor vehicle operator's license
 18 or valid identity card, as described in section 1-1h, or (B) verify such
 19 consumer's identity on a commercially available third-party database
 20 used for the purpose of age verification by business entities; (2) ensure
 21 that the name on such consumer's valid motor vehicle operator's license
 22 or valid identity card or verified on such database is identical to the
 23 name on the credit card, charge card, debit card or other method of
 24 payment used to purchase such system or product at the time of sale; (3)
 25 ensure that the shipping labels on all containers of an electronic nicotine
 26 delivery system or vapor product [shipped directly to a consumer in the
 27 state conspicuously states] conspicuously state the following:
 28 "CONTAINS AN ELECTRONIC NICOTINE DELIVERY SYSTEM OR
 29 VAPOR PRODUCT – SIGNATURE OF A PERSON AGE 21 OR OLDER
 30 REQUIRED FOR DELIVERY"; and [(2)] (4) obtain the signature of a
 31 person [age] twenty-one years of age or older at the shipping address
 32 prior to delivery, after requiring the signer to demonstrate that he or she
 33 is age twenty-one or older by providing a valid motor vehicle operator's
 34 license or a valid identity card. [described in section 1-1h] No person
 35 with an electronic nicotine delivery system certificate of dealer
 36 registration shall sell or ship to a consumer in the state more than two
 37 vapor products and thirty cartridges of electronic cigarette liquid in a
 38 thirty-day period.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	21a-418

KID Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill places certain requirements on anyone selling e-cigarettes online and results in no fiscal impact to the state due to no enforcement provisions or penalties being included in the bill.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6110*****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-issued e-cigarette certificate or dealer registration from selling or shipping more than two vapor products and 30 cartridges of e-cigarette liquid in a 30-day 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.

EFFECTIVE DATE: July 1, 2021

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 13 Nay 0 (03/11/2021)