1	S.18	
2	Introduced by Senators Lyons, Chittenden, Clarkson, Gulick, Hashim, Ram	
3	Hinsdale and Wrenner	
4	Referred to Committee on	
5	Date:	
6	Subject: Health; tobacco products; tobacco substitutes; flavored tobacco	
7	products; e-cigarettes; e-liquids	
8	Statement of purpose of bill as introduced: This bill proposes to ban the retail	
9	sale of flavored cigarettes, e-cigarettes, and e-liquids. It would expand the	
10	applicability of provisions relating to the seizure and destruction of contrabance	
11	tobacco products to include contraband e-cigarettes, e-liquids, and tobacco	
12	paraphernalia. The bill would also direct the Office of the Attorney General to	
13	report on the extent to which Vermont may legally restrict advertising and	
14	regulate labels for e-cigarettes and other vaping-related products.	
15	An act relating to banning flavored tobacco products and e-liquids	
16	It is hereby enacted by the General Assembly of the State of Vermont:	
17	Sec. 1. FINDINGS	
18	The General Assembly finds that:	
19	(1) Tobacco use is costly. Vermont spends \$348 million annually to	
20	treat tobacco-caused illnesses, including \$87.2 million each year in Medicaid	

1	expenses. This translates into a tax burden each year of \$759 per Vermont			
2	household. Productivity losses add an additional \$232.8 million each year.			
3	(2) Youth tobacco use is growing due to e-cigarettes. Seven percent of			
4	Vermont high school students smoke, but if e-cigarette use is included,			
5	28 percent of Vermont youths use some form of tobacco product. More than			
6	one in four Vermont high school students now uses e-cigarettes. Use more			
7	than doubled among this age group, from 12 percent to 26 percent, between			
8	<u>2017 and 2019.</u>			
9	(3) More students report frequent use of e-cigarettes, which			
10	indicates possible nicotine addiction. According to the 2019 Vermont Youth			
11	Risk Behavior Survey, 31 percent of Vermont high school e-cigarette users			
12	used e-cigarettes daily, up from 15 percent in 2017.			
13	(4) Flavored products are fueling the epidemic. Ninety-seven percent of			
14	youth e-cigarette users nationally reported in 2019 that they had used a			
15	flavored tobacco product in the last month, and 70 percent cited flavors as the			
16	reason for their use. E-cigarette and e-liquid manufacturers have marketed			
17	their products in youth-friendly flavors, such as gummy bear, birthday cake,			
18	candy cane menthol, and bubble gum.			
19	(5) Mint- and menthol-flavored e-cigarettes are increasing in popularity			
20	among youths. Over the past few years, mint and menthol went from being			
21	some of the least popular to being some of the most popular e-cigarette flavors			

1	among high school students. Evidence indicates that if any e-cigarette		
2	flavors remain on the market, youths will shift from one flavor to		
3	another. For example, after Juul restricted the availability of fruit, candy, and		
4	other e-cigarette flavors in retail stores in November 2018, use of mint and		
5	menthol e-cigarettes by high school users increased sharply, from 42.3 percent		
6	reportedly using mint and menthol e-cigarettes in 2017 to 63.9 percent using		
7	<u>them in 2019.</u>		
8	(6) It is essential that menthol cigarettes are included in a ban on		
9	flavored tobacco products, flavored e-liquids, and flavored e-cigarettes to		
10	prevent youths who became addicted to nicotine through vaping from		
11	transitioning to traditional cigarettes. Menthol creates a cooling and numbing		
12	effect that reduces the harshness of cigarette smoke and suppresses the cough		
13	reflex. Those effects make menthol cigarettes more appealing to young,		
14	inexperienced smokers, and research shows that menthol cigarettes are more		
15	likely to addict youths.		
16	(7) Youth smokers are the age group most likely to use menthol		
17	cigarettes but are also likely to quit if menthol cigarettes are no longer		
18	available. Fifty-four percent of youths 12–17 years of age nationwide who		
19	smoke use menthol cigarettes. Nearly 65 percent of young menthol smokers		
20	say they would quit smoking if menthol cigarettes were banned.		

1	(8) Eliminating the sale of menthol tobacco products promotes health	
2	equity. Menthol cigarette use is more prevalent among persons of color who	
3	smoke than among white persons who smoke and is more common among	
4	lesbian, gay, bisexual, and transgender smokers than among heterosexual	
5	smokers. Eighty-five percent of African-American adult smokers use menthol	
6	cigarettes, and of black youths 12-17 years of age who smoke, seven out of 10	
7	use menthol cigarettes. Tobacco industry documents show a concerted effort	
8	to target African-Americans through specific advertising efforts.	
9	(9) The U.S. Food and Drug Administration (FDA) agrees that menthol	
10	cigarettes harm the public health. In 2013, the FDA published a report	
11	concluding that removal of menthol cigarettes from the market would improve	
12	public health. In May 2022, the FDA published a proposed rule establishing a	
13	tobacco product standard that would prohibit menthol as a characterizing	
14	flavor in cigarettes, but the rule has not been finalized and it is unclear when a	
15	final rule will be published or take effect.	
16	Sec. 2. 7 V.S.A. chapter 40 is amended to read:	
17	CHAPTER 40. TOBACCO PRODUCTS	
18	§ 1001. DEFINITIONS	
19	As used in this chapter:	
20	* * *	

1	(3) "Tobacco products" means cigarettes, little cigars, roll-your-own			
2	tobacco, snuff, cigars, new smokeless tobacco, and other tobacco products as			
3	defined in 32 V.S.A. § 7702 any other product manufactured from, derived			
4	from, or containing tobacco that is intended for human consumption by			
5	smoking, by chewing, or in any other manner.			
6	* * *			
7	(8) "Tobacco substitute" means products any product, including an			
8	electronic cigarettes cigarette or other electronic or battery-powered devices			
9	device, or any component, part, or accessory thereof, that contain or are			
10	contains or is designed to deliver nicotine or other substances into the body			
11	through the inhalation or other absorption of aerosol, vapor, or other emission			
12	and that have has not been approved by the U.S. Food and Drug			
13	Administration for tobacco cessation or other medical purposes. Products that			
14	have been approved by the U.S. Food and Drug Administration for tobacco			
15	cessation or other medical purposes shall not be considered to be tobacco			
16	substitutes.			
17	(9) "E-liquid" means the solution, substance, or other material used in or			
18	with a tobacco substitute that is heated or otherwise acted upon to produce an			
19	aerosol, vapor, or other emission to be inhaled or otherwise absorbed by the			
20	user, regardless of whether the solution, substance, or other material contains			
21	nicotine.			

1	§ 1002. LICENSE REQUIRED; APPLICATION; FEE; ISSUANCE		
2	(a)(1) No person shall engage in the retail sale of tobacco products, tobacco		
3	substitutes, <u>e-liquids</u> , or tobacco paraphernalia in his or her <u>the person's</u> place		
4	of business without a tobacco license obtained from the Division of Liquor		
5	Control.		
6	* * *		
7	(e) A person who sells tobacco products, tobacco substitutes, e-liquids, or		
8	tobacco paraphernalia without obtaining a tobacco license and a tobacco		
9	substitute endorsement, as applicable, in violation of this section shall be guilty		
10	of a misdemeanor and fined not more than \$200.00 for the first offense and not		
11	more than \$500.00 for each subsequent offense.		
12	(f) No individual under 16 years of age may sell tobacco products, tobacco		
13	substitutes, <u>e-liquids</u> , or tobacco paraphernalia.		
14	(g) No person shall engage in the retail sale of tobacco products, tobacco		
15	substitutes, substances containing nicotine or otherwise intended for use with a		
16	tobacco substitute e-liquids, or tobacco paraphernalia in the State unless the		
17	person is a licensed wholesale dealer as defined in 32 V.S.A. § 7702 or has		
18	purchased the tobacco products, tobacco substitutes, substances containing		
19	nicotine or otherwise intended for use with a tobacco substitute <u>e-liquids</u> , or		
20	tobacco paraphernalia from a licensed wholesale dealer.		
21	* * *		

1	§ 1003. SALE OF TOBACCO PRODUCTS; TOBACCO SUBSTITUTES;	
2	TOBACCO PARAPHERNALIA; REQUIREMENTS;	
3	PROHIBITIONS	
4	(a) A person shall not sell or provide tobacco products, tobacco substitutes,	
5	e-liquids, or tobacco paraphernalia to any person under 21 years of age.	
6	(b) All vending machines selling tobacco products are prohibited.	
7	(c)(1) Persons holding a tobacco license may only display or store tobacco	
8	products or, tobacco substitutes, and e-liquids:	
9	(A) behind a sales counter or in any other area of the establishment	
10	that is inaccessible to the public; or	
11	(B) in a locked container.	
12	(2) This subsection shall not apply to the following:	
13	(A) a display of tobacco products, tobacco substitutes, or e-liquids	
14	that is located in a commercial establishment in which by law no person under	
15	21 years of age is permitted to enter at any time;	
16	(B) cigarettes in unopened cartons and smokeless tobacco in	
17	unopened multipack containers of 10 or more packages, any of which shall be	
18	displayed in plain view and under the control of a responsible employee so that	
19	removal of the cartons or multipacks from the display can be readily observed	
20	by that employee; or	

(C) cigars and pipe tobacco stored in a humidor on the sales counter			
in plain view and under the control of a responsible employee so that the			
removal of these products from the humidor can be readily observed by that			
employee.			
(d) The sale and the purchase of bidis is prohibited. A person who holds a			
tobacco license who sells bidis as prohibited by this subsection shall be fined			
not more than \$500.00. A person who purchases bidis from any source shall			
be fined not more than \$250.00.			
(e) No person holding a tobacco license shall sell cigarettes or little cigars			
individually or in packs that contain fewer than 20 cigarettes or little cigars.			
(f) As used in this section, "little cigars" means any rolls of tobacco			
wrapped in leaf tobacco or any substance containing tobacco, other than any			
roll of tobacco that is a cigarette within the meaning of 32 V.S.A. § 7702(1),			
and as to which 1,000 units weigh not more than three pounds.			
§ 1004. PROOF OF AGE FOR THE SALE OF TOBACCO PRODUCTS;			
TOBACCO SUBSTITUTES; <u>E-LIQUIDS;</u> TOBACCO			
PARAPHERNALIA			
(a) A person shall exhibit proper proof of his or her the person's age upon			
demand of a person licensed under this chapter, an employee of a licensee, or a			
law enforcement officer. If the person fails to provide proper proof of age, the			
licensee shall be entitled to refuse to sell tobacco products, tobacco substitutes,			

1	e-liquids, or tobacco paraphernalia to the person. The sale or furnishing of			
2	tobacco products, tobacco substitutes, <u>e-liquids</u> , or tobacco paraphernalia to a			
3	person exhibiting proper proof of age shall be prima facie evidence of a			
4	licensee's compliance with section 1007 of this title.			
5	(b) As used in this section, "proper proof of age" means a valid authorized			
6	form of identification as defined in section 589 of this title.			
7	§ 1005. PERSONS UNDER 21 YEARS OF AGE; POSSESSION OF			
8	TOBACCO PRODUCTS; MISREPRESENTING AGE OR			
9	PURCHASING TOBACCO PRODUCTS; PENALTY			
10	(a)(1) A person under 21 years of age shall not possess, purchase, or			
11	attempt to purchase tobacco products, tobacco substitutes, e-liquids, or tobacco			
12	paraphernalia unless the person is an employee of a holder of a tobacco license			
13	and is in possession of tobacco products, tobacco substitutes, e-liquids, or			
14	tobacco paraphernalia to effect a sale in the course of employment.			
15	(2) A person under 21 years of age shall not misrepresent his or her the			
16	person's age to purchase or attempt to purchase tobacco products, tobacco			
17	substitutes, <u>e-liquids</u> , or tobacco paraphernalia.			
18	(b) A person who possesses to bacco products, to bacco substitutes, \underline{e} -			
19	liquids, or tobacco paraphernalia in violation of subsection (a) of this section			
20	shall be subject to having the tobacco products, tobacco substitutes, e-liquids,			
21	or tobacco paraphernalia immediately confiscated and shall be further subject			

1	to a civil penalty of \$25.00. An action under this subsection shall be brought		
2	in the same manner as a traffic violation pursuant to 23 V.S.A. chapter 24.		
3	(c) A person under 21 years of age who misrepresents his or her the		
4	person's age by presenting false identification to purchase tobacco products,		
5	tobacco substitutes, <u>e-liquids</u> , or tobacco paraphernalia shall be fined not more		
6	than \$50.00 or provide up to 10 hours of community service, or both.		
7	§ 1006. POSTING OF SIGNS		
8	(a) A person licensed under this chapter shall post in a conspicuous place		
9	on the premises identified in the tobacco license a warning sign stating that the		
10	sale of tobacco products, tobacco substitutes, e-liquids, and tobacco		
11	paraphernalia to persons under 21 years of age is prohibited. The Board shall		
12	prepare the sign and make it available with the license forms issued under this		
13	chapter. The sign may include information about the health effects of tobacco		
14	and tobacco cessation services. The Board, in consultation with a		
15	representative of the licensees when appropriate, is authorized to change the		
16	design of the sign as needed to maintain its effectiveness.		
17	(b) A person violating this section shall be guilty of a misdemeanor and		
18	fined not more than \$100.00.		
19	§ 1007. FURNISHING TOBACCO TO PERSONS UNDER 21 YEARS OF		
20	AGE; REPORT		

1	(a) A person that sells or furnishes tobacco products, tobacco substitutes, <u>e-</u>			
2	liquids, or tobacco paraphernalia to a person under 21 years of age shall be			
3	subject to a civil penalty of not more than \$100.00 for the first offense and not			
4	more than \$500.00 for any subsequent offense. An action under this section			
5	shall be brought in the same manner as for a traffic violation pursuant to			
6	23 V.S.A. chapter 24 and shall be brought within 24 hours of the occurrence of			
7	the alleged violation.			
8	(b)(1) The Division of Liquor Control shall conduct or contract for			
9	compliance tests of tobacco licensees as frequently and as comprehensively as			
10	necessary to ensure consistent statewide compliance with the prohibition on			
11	sales to persons under 21 years of age of at least 90 percent for buyers who are			
12	between 17 and 20 years of age. An individual under 21 years of age			
13	participating in a compliance test shall not be in violation of section 1005 of			
14	this title.			
15	(2) Any violation by a tobacco licensee of subsection 1003(a) of this			
16	title and this section after a sale violation or during a compliance test			
17	conducted within six months of a previous violation shall be considered a			
18	multiple violation and shall result in the minimum license suspension in			
19	addition to any other penalties available under this title. Minimum license			
20	suspensions for multiple violations shall be assessed as follows:			
21	(A) Two violations two weekdays;			

1	(B) Three violations	15-day suspension;		
2	(C) Four violations	90-day suspension;		
3	(D) Five violations	one-year suspension.		
4	(3) The Division shall report to the House Committee on General,			
5	Housing, and Military Affairs, the Senate Committee on Economic			
6	Development, Housing and General Affairs, and the Tobacco Evaluation and			
7	Review Board Substance Misuse Prevention Oversight and Advisory Council			
8	annually, on or before January 15, the methodology and results of compliance			
9	tests conducted during the previous year. The	provisions of 2 V.S.A. § 20(d)		
10	(expiration of required reports) shall not apply to the required report to be			
11	made under this subdivision.			
12	* * *			
13	§ 1009. CONTRABAND AND SEIZURE			
14	(a) Any cigarettes or other tobacco product	ts <u>, tobacco substitutes, e-liquids,</u>		
15	or tobacco paraphernalia that have been sold, o	offered for sale, or possessed for		
16	sale in violation of section 1003, 1010, or 1013	<u>3</u> of this title, 20 V.S.A. § 2757,		
17	32 V.S.A. § 7786, or 33 V.S.A. § 1919, and an	ny commercial cigarette rolling		
18	machines possessed or utilized in violation of	section 1011 of this title, shall be		
19	deemed contraband and shall be subject to seiz	zure by the Commissioner, the		
20	Commissioner's agents or employees, the Con	nmissioner of Taxes or any agent		
21	or employee of the Commissioner of Taxes, or	by any law enforcement officer		

1	of this State when directed to do so by the Commissioner. All cigarettes or
2	other tobacco products items seized under this subsection shall be destroyed.
3	* * *
4	§ 1010. INTERNET SALES
5	(a) As used in this section:
6	(1) "Cigarette" has the same meaning as in 32 V.S.A. § 7702(1).
7	(2) [Repealed.]
8	(3) "Licensed wholesale dealer" has the same meaning as in 32 V.S.A
9	§ 7702(5).
10	(4) "Little cigars" has the same meaning as in 32 V.S.A. § 7702(6).
11	(5) "Retail dealer" has the same meaning as in 32 V.S.A. § 7702(10).
12	(6) "Roll-your-own tobacco" has the same meaning as in 32 V.S.A
13	§ 7702(11).
14	(7) "Snuff" has the same meaning as in 32 V.S.A. § 7702(13).
15	(b) No person shall cause cigarettes, roll-your-own tobacco, little cigars,
16	snuff, tobacco substitutes, substances containing nicotine or otherwise intended
17	for use with a tobacco substitute e-liquids, or tobacco paraphernalia, ordered or
18	purchased by mail or through a computer network, telephonic network, or
19	other electronic network, to be shipped to anyone other than a licensed
20	wholesale dealer or retail dealer in this State.

1	(c) No person shall, with knowledge or reason to know of the violation,
2	provide substantial assistance to a person in violation of this section.
3	(d) A violation of this section is punishable as follows:
4	(1) A knowing or intentional violation of this section shall be punishable
5	by imprisonment for not more than five years or a fine of not more than
6	\$5,000.00, or both.
7	(2) In addition to or in lieu of any other civil or criminal remedy
8	provided by law, upon a determination that a person has violated this section,
9	the Attorney General may impose a civil penalty in an amount not to exceed
10	\$5,000.00 for each violation. For purposes of this subsection, each shipment
11	or transport of cigarettes, roll-your-own tobacco, little cigars, or snuff, tobacco
12	substitutes, e-liquids, or tobacco paraphernalia shall constitute a separate
13	violation.
14	* * *
15	§ 1012. LIQUID NICOTINE E-LIQUIDS CONTAINING NICOTINE;
16	PACKAGING
17	(a) Unless specifically preempted by federal law, no person shall
18	manufacture, regardless of location, for sale in; offer for sale in; sell in or into
19	the stream of commerce in; or otherwise introduce into the stream of
20	commerce in Vermont:

1	(1) any liquid or gel substance e-liquid containing nicotine unless that
2	product is contained in child-resistant packaging; or
3	(2) any nicotine liquid <u>e-liquid</u> container unless that container
4	constitutes child-resistant packaging.
5	(b) As used in this section:
6	(1) "Child-resistant packaging" means packaging that is designed or
7	constructed to be significantly difficult for children under five years of age to
8	open or obtain a toxic or harmful amount of the substance in the container
9	within a reasonable time and not difficult for normal adults to use properly, but
10	does not mean packaging that all children under five years of age cannot open
11	or obtain a toxic or harmful amount of the substance in the container within a
12	reasonable time.
13	(2) "Nicotine liquid <u>E-liquid</u> container" means a bottle or other
14	container of a nicotine liquid or other substance an e-liquid containing nicotine
15	that is sold, marketed, or intended for use in a tobacco substitute. The term
16	does not include a container containing nicotine in a cartridge that is sold,
17	marketed, or intended for use in a tobacco substitute if the cartridge is prefilled
18	and sealed by the manufacturer and not intended to be opened by the
19	consumer.
20	§ 1013. FLAVORED TOBACCO PRODUCTS, FLAVORED TOBACCO
21	SUBSTITUTES, AND FLAVORED E-LIQUIDS PROHIBITED

1	(a) As used in this section:
2	(1) "Characterizing flavor" means a taste or aroma, other than the taste
3	or aroma of tobacco, imparted either prior to or during consumption of a
4	tobacco product or tobacco substitute, or a component part or byproduct of a
5	tobacco product or tobacco substitute. The term includes tastes or aromas
6	relating to any fruit, chocolate, vanilla, honey, maple, candy, cocoa, dessert,
7	alcoholic beverage, mint, menthol, wintergreen, herb or spice, or other food or
8	drink, or to any conceptual flavor that imparts a taste or aroma that is
9	distinguishable from tobacco flavor but may not relate to any particular known
10	<u>flavor.</u>
11	(2) "Flavored e-liquid" means any e-liquid with a characterizing flavor.
12	An e-liquid shall be presumed to be a flavored e-liquid if a licensee, a
13	manufacturer, or a licensee's or manufacturer's agent or employee has made a
14	statement or claim directed to consumers or the public, whether express or
15	implied, that the product has a distinguishable taste or aroma other than the
16	taste or aroma of tobacco.
17	(3) "Flavored tobacco product" means any tobacco product with a
18	characterizing flavor. A tobacco product shall be presumed to be a flavored
19	
17	tobacco product if a licensee, a manufacturer, or a licensee's or manufacturer's

1	public, whether express or implied, that the product has a distinguishable taste
2	or aroma other than the taste or aroma of tobacco.
3	(4) "Flavored tobacco substitute" means any tobacco substitute with a
4	characterizing flavor. A tobacco substitute shall be presumed to be a flavored
5	tobacco substitute if a licensee, a manufacturer, or a licensee's or
6	manufacturer's agent or employee has made a statement or claim directed to
7	consumers or the public, whether express or implied, that the product has a
8	distinguishable taste or aroma other than the taste or aroma of tobacco.
9	(5) "Tobacco retailer" means any individual, partnership, joint venture,
10	society, club, trustee, trust, association, organization, or corporation who owns,
11	operates, or manages any retail establishment that has a tobacco license from
12	the Division of Liquor Control.
13	(b) No person shall engage in the retail sale of any flavored tobacco
14	product, flavored e-liquid, or flavored tobacco substitute.
15	(c) If a tobacco retailer or a tobacco retailer's agent or employee violates
16	this section, the tobacco retailer shall be subject to a civil penalty of not more
17	than \$100.00 for a first offense and not more than \$500.00 for any subsequent
18	offense. An action under this section shall be brought in the same manner as
19	for a traffic violation pursuant to 23 V.S.A. chapter 24 and shall be brought
20	within 24 hours after the occurrence of the alleged violation.

1	Sec. 3. 4 V.S.A. § 1102(b) is amended to read:
2	(b) The Judicial Bureau shall have jurisdiction of the following matters:
3	* * *
4	(31) Violations of 7 V.S.A. § 1013(b), relating to flavored tobacco
5	products, flavored e-liquids, and flavored tobacco substitutes.
б	Sec. 4. 7 V.S.A. § 661(c) is amended to read:
7	(c) The provisions of subsection (b) of this section shall not apply to a
8	violation of subsection 1005(a) of this title, relating to purchase of tobacco
9	products, tobacco substitutes, <u>e-liquids</u> , or tobacco paraphernalia by a person
10	under 21 years of age.
11	Sec. 5. 16 V.S.A. § 140 is amended to read:
12	§ 140. TOBACCO USE PROHIBITED ON PUBLIC SCHOOL GROUNDS
13	No person shall be permitted to use tobacco products, e-liquids, or tobacco
14	substitutes as defined in 7 V.S.A. § 1001 on public school grounds or at public
15	school sponsored functions. Public school boards may adopt policies that
16	include confiscation and appropriate referrals to law enforcement authorities.
17	Sec. 6. 18 V.S.A. § 4803(a) is amended to read:
18	(a) Creation. There is created the Substance Misuse Prevention Oversight
19	and Advisory Council within the Department of Health to improve the health
20	outcomes of all Vermonters through a consolidated and holistic approach to
21	substance misuse prevention that addresses all categories of substances. The

1	Council shall provide advice to the Governor and General Assembly for
2	improving prevention policies and programming throughout the State and to
3	ensure that population prevention measures are at the forefront of all policy
4	determinations. The Advisory Council's prevention initiatives shall
5	encompass all substances at risk of misuse, including:
6	(1) alcohol;
7	(2) cannabis;
8	(3) controlled substances, such as opioids, cocaine, and
9	methamphetamines; and
10	(4) tobacco products and, tobacco substitutes, and e-liquids as defined in
11	7 V.S.A. § 1001 and substances containing nicotine or that are otherwise
12	intended for use with a tobacco substitute.
13	Sec. 7. 32 V.S.A. § 7702 is amended to read:
14	§ 7702. DEFINITIONS
15	As used in this chapter unless the context otherwise requires:
16	* * *
17	(15) "Other tobacco products" means any product manufactured
18	from, derived from, or containing tobacco that is intended for human
19	consumption by smoking, by chewing, or in any other manner, including.
20	The term also includes products sold as a tobacco substitute, as defined in
21	7 V.S.A. § 1001(8), and including any liquids, whether nicotine based or not,

1	or; e-liquids, as defined in 7 V.S.A. § 1001(9); and delivery devices sold
2	separately for use with a tobacco substitute or e-liquid, but shall not include
3	cigarettes, little cigars, roll-your-own tobacco, snuff, or new smokeless tobacco
4	as defined in this section.
5	* * *
6	Sec. 8. ELECTRONIC CIGARETTES AND OTHER VAPING-RELATED
7	PRODUCTS; ADVERTISING RESTRICTIONS; REPORT
8	On or before December 1, 2023, the Office of the Attorney General shall
9	report to the House Committees on Commerce and Economic Development
10	and on Human Services and the Senate Committees on Economic
11	Development, Housing and General Affairs and on Health and Welfare
12	regarding whether and to what extent Vermont may legally restrict advertising
13	and regulate the content of labels for electronic cigarettes and other vaping-
14	related products in this State.
15	Sec. 9. EFFECTIVE DATE
16	This act shall take effect on September 1, 2023.