

PUBLIC ACT # 19-13: An Act Prohibiting the Sale of Cigarettes, Tobacco Products, Electronic Nicotine Delivery Systems and Vapor Products to Persons under Age 21

“Tobacco 21”

Public Act Summary¹

- 1) Increases the legal age of sale for tobacco products² from 18 to 21, effective October 1, 2019.
 - a. Sellers and their agents or employees must ask a prospective buyer *who appears to be under the age of 30* for proper proof of age.
 - b. Purchaser: Any person under the age of 21 years of age who misrepresents their age to purchase tobacco products in any form will be fined \$50 for the first offense, and not less than \$50 or more than \$100 for each subsequent offense.
 - c. Signage: At each point of sale, businesses shall place and maintain in legible condition a notice to customers that states:
 - i. The sale, giving or delivering of tobacco products to any person under 21 years of age is prohibited by law;
 - ii. The use of false identification by a person under 21 years of age to purchase tobacco products is prohibited, and
 - iii. The penalties and fines for violating the purchasing laws.
 - d. Vending Machines: No machine may be placed in an area, facility, or business which may be accessed by persons under the age of 21 unless it is placed in an area, facility or business permitted under chapter 545 that has a separate entrance accessible only to persons 21 years of age or older and the machine is placed in that separate area.
 - e. Current exemption remains in place for persons who are part of a tobacco use prevention research study.
- 2) Expands the Clean Indoor Air Act to prohibit the use of all tobacco products, including ENDS and vapor products, to all school property [“within a school building or on the grounds of such school”] at all times.
- 3) Expands the Clean Indoor Air Act to prohibit the use of all tobacco products, including ENDS and vapor products, at all day care center facilities and grounds at all times. (Exception for family home day cares, where use is prohibited only during the hours when children are present).

¹Summary prepared by the Department of Public Health Tobacco Control Program as a general summary of Public Act #19-13; anyone performing duties related to this new law should review the formal language for concurrence.

4) Online Sales:

- a. Adds a requirement for labelling packages containing ENDS or vapor products

ENDS dealers that are selling and shipping an ENDS or a vapor product directly to a consumer in CT must include a label that conspicuously states *“CONTAINS AN ELECTRONIC NICOTINE DELIVERY SYSTEM OR VAPOR PRODUCT - SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY”*

- b. Requires signature upon delivery of ENDS or vapor products

Obtain the signature of a person 21 or older at the shipping address prior to delivery, *after requiring the signer to demonstrate that he or she is age 21 or older* by providing a valid motor vehicle operator’s license or a valid identity card.

5) Increased Fees:

- a. Annual fee for a cigarette dealer’s license increased from \$50 to \$200 (DRS)
- b. Annual registration fee for ENDS dealer increased from \$400 to \$800 (DCP). The annual fee remains \$400 for any dealer that holds multiple DCP registrations.
- c. Annual registration fee for an ENDS Manufacturer remains at \$400, unless the manufacturer holds additional Manufacturer or Dealer registrations, in which case the annual fee is \$200.

6) Increased Sanctions:

- a. Failure to obtain or renew a license or registration: \$50 for each day of operation without a registration
- b. Sales to persons under the legal age of sale: On first offense, civil penalty is waived for completing online retailer training or \$300, fine increases for each subsequent offense. Fee for any sales made during period of time when license/registration has been suspended or revoked.

7) Compliance investigations assigned to the Department of Mental Health and Addiction Services; unannounced compliance checks on all retailers and follow up checks for any non-compliant retailers.

8) Promotional Samples: Dealers may give or deliver ENDS in connection with the promotion or advertisement of these products without receiving monetary consideration, provided the giving or delivery occurs at the location identified in the application, or at any event/establishment with restricted access for persons under 21. This section does not apply to a gift or delivery of an ENDS or vapor product in connection with the sale of a similar ENDS product.

*²*Tobacco Products include cigarettes, other tobacco products, electronic nicotine delivery systems, and vapor products as defined in state statutes*