



General Assembly

January Session, 2025

Raised Bill No. 7275

LCO No. 7145



Referred to Committee on FINANCE, REVENUE AND BONDING

Introduced by:
(FIN)

AN ACT CONCERNING THE REGULATION OF CIGARETTES, TOBACCO PRODUCTS, ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS.

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

1 Section 1. Subsection (b) of section 12-285 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2025*):

4 (b) As used in this part and part II only of this chapter:

5 (1) "Cigarette" means [and includes any roll for smoking made
6 wholly or in part of tobacco, irrespective of size or shape, and
7 irrespective of whether the tobacco is flavored, adulterated or mixed
8 with any other ingredient, where such roll has a wrapper or cover made
9 of paper or any other material] any product that contains nicotine, is
10 intended to be burned or heated under ordinary conditions of use and
11 consists of or contains (A) any roll of tobacco wrapped in paper or in
12 any substance not containing tobacco, (B) tobacco, in any form, that is
13 functional in the product, which, because of its appearance, the type of

14 tobacco used in the filler or its packaging and labeling, is likely to be
15 offered to or purchased by consumers as a cigarette, or (C) any roll of
16 tobacco wrapped in any substance containing tobacco which, because of
17 its appearance, the type of tobacco used in the filler or its packaging and
18 labeling, is likely to be offered to, or purchased by, consumers as a
19 cigarette described in subparagraph (A) of this subdivision, except
20 where such wrapper is wholly or in the greater part made of tobacco
21 and such roll weighs over three pounds per thousand, provided, if any
22 roll [for smoking] has a wrapper made of homogenized tobacco or
23 natural leaf tobacco [,] and the roll is a cigarette size so that it weighs
24 three pounds or less per thousand, such roll is a cigarette and subject to
25 the tax imposed by this part and part II of this chapter. "Cigarette"
26 includes any roll, stick or capsule of tobacco, regardless of shape or size,
27 that is intended to be heated under ordinary conditions of use; and

28 (2) "Unstamped cigarette" means any package of cigarettes to which
29 the proper amount of Connecticut cigarette tax stamps have not been
30 affixed.

31 Sec. 2. Section 12-285c of the general statutes is repealed and the
32 following is substituted in lieu thereof (*Effective July 1, 2025*):

33 (a) No person engaged in the business of selling cigarettes or tobacco
34 products, as defined in section 12-330a, shall ship or transport or cause
35 to be shipped or transported any cigarettes or tobacco products to any
36 person in this state except to: (1) A cigarette distributor or dealer; (2) an
37 export warehouse proprietor pursuant to Chapter 52 of the Internal
38 Revenue Code of 1986, or any subsequent corresponding internal
39 revenue code of the United States, as amended from time to time, or an
40 operator of a customs bonded warehouse pursuant to 19 USC 1311 or
41 1555; or (3) a person who is an officer, employee or agent of the United
42 States Government, this state or a department, agency, instrumentality
43 or political subdivision of the United States or of this state, when such
44 person is acting in accordance with such person's official duties.
45 Notwithstanding the provisions of section 12-15, the Commissioner of

46 Revenue Services shall publish on the Internet web site of the
47 Department of Revenue Services a list of every cigarette distributor or
48 dealer. As used in this subsection, "cigarette distributor or dealer" means
49 a person licensed as a cigarette distributor under section 12-288 or
50 licensed as a dealer under section 12-287 or a person whose name
51 appears on a list of licensed distributors and dealers published by the
52 Commissioner of Revenue Services.

53 (b) No common or contract carrier shall knowingly transport
54 cigarettes or tobacco products to a residential dwelling or to any person
55 in this state who the common or contract carrier reasonably believes is
56 not a person described in subdivisions (1) to (3), inclusive, of subsection
57 (a) of this section. No person other than a common or contract carrier
58 shall knowingly transport cigarettes or tobacco products to any person
59 in this state who is not a person described in subdivisions (1) to (3),
60 inclusive, of subsection (a) of this section.

61 (c) When a person engaged in the business of selling cigarettes or
62 tobacco products ships or transports or causes to be shipped or
63 transported any cigarettes or tobacco products to any described person
64 in this state, other than in the [cigarette] manufacturer's original
65 container or wrapping, the container or wrapping shall be plainly and
66 visibly marked with the word "cigarettes" or "tobacco products", as
67 applicable. Any person engaged in the business of selling cigarettes or
68 tobacco products who ships or causes to be shipped any cigarettes or
69 tobacco products to any described person in this state (1) shall require,
70 as a condition of delivery, the customer who is receiving the cigarettes
71 or tobacco products to sign an acknowledgment of receipt and provide
72 proper proof of age, and (2) may not sell such cigarettes or tobacco
73 products to such customer unless such proof of age is provided. For
74 purposes of this subsection, "described person" means a person
75 described in subdivisions (1) to (3), inclusive, of subsection (a) of this
76 section.

77 (d) Whenever any cigarettes or tobacco products have been or are

78 being shipped or transported in violation of this section, such cigarettes
79 or tobacco products are declared to be contraband goods and the
80 confiscation, search and forfeiture provisions of section 12-305 shall
81 apply.

82 (e) Any person who violates the provisions of subsection (a), (b) or (c)
83 of this section shall be guilty of a class A misdemeanor and, for a second
84 or subsequent violation, shall be guilty of a class C felony.

85 (f) The Commissioner of Revenue Services may impose a civil penalty
86 of not more than ten thousand dollars for each violation of subsection
87 (a), (b) or (c) of this section. For purposes of this subsection, each
88 shipment or transport of cigarettes or tobacco products shall constitute
89 a separate violation. The Attorney General, upon request of the
90 commissioner, may bring an action in the superior court for the judicial
91 district of Hartford to collect such civil penalty and for any injunctive or
92 equitable relief. In any action brought by the Attorney General to
93 enforce the provisions of section 12-285b or this section, the state shall
94 be entitled to recover, when it is the prevailing party, the costs of
95 investigation, expert witness fees, costs of the action, and reasonable
96 attorneys' fees.

97 (g) A violation of subsection (a), (b) or (c) of this section shall be an
98 unfair trade practice pursuant to subsection (a) of section 42-110b and
99 the Commissioner of Consumer Protection may authorize the
100 Commissioner of Revenue Services to bring an action pursuant to said
101 section.

102 Sec. 3. Section 21a-418 of the general statutes is repealed and the
103 following is substituted in lieu thereof (*Effective July 1, 2025*):

104 (a) As used in this section:

105 (1) "Person" means any individual, firm, fiduciary, partnership,
106 corporation, limited liability company, trust or association, however
107 formed;

108 (2) "Electronic nicotine delivery system" has the same meaning as
109 provided in section 21a-415; and

110 (3) "Vapor product" has the same meaning as provided in section 21a-
111 415.

112 [(b) A person with an electronic nicotine delivery system certificate
113 of dealer registration, when selling and shipping an electronic nicotine
114 delivery system or a vapor product directly to a consumer in the state,
115 shall: (1) Ensure that the shipping labels on all containers of an electronic
116 nicotine delivery system or vapor product shipped directly to a
117 consumer in the state conspicuously states the following: "CONTAINS
118 AN ELECTRONIC NICOTINE DELIVERY SYSTEM OR VAPOR
119 PRODUCT—SIGNATURE OF A PERSON AGE 21 OR OLDER
120 REQUIRED FOR DELIVERY"; and (2) obtain the signature of a person
121 age twenty-one or older at the shipping address prior to delivery, after
122 requiring the signer to demonstrate that he or she is age twenty-one or
123 older by providing a valid motor vehicle operator's license or a valid
124 identity card described in section 1-1h.]

125 (b) No person engaged in the business of selling electronic nicotine
126 delivery systems or vapor products shall ship or transport or cause to
127 be shipped or transported any electronic nicotine delivery system or
128 vapor product to any person in this state except to: (1) A person holding
129 a dealer registration or a manufacturer registration, as those terms are
130 defined in section 21a-415; or (2) a person who is an officer, employee or
131 agent of the United States Government, this state or a department,
132 agency, instrumentality or political subdivision of the United States or
133 of this state, when such person is acting in accordance with such
134 person's official duties. The Commissioner of Consumer Protection shall
135 publish on the Internet web site of the Department of Consumer
136 Protection a list of every person that holds a dealer registration or a
137 manufacturer registration.

138 (c) No common or contract carrier shall knowingly transport

139 electronic nicotine delivery systems or vapor products to a residential
140 dwelling or to any person in this state who the common or contract
141 carrier reasonably believes is not a person described in subdivision (1)
142 or (2) of subsection (a) of this section. No person other than a common
143 or contract carrier shall knowingly transport electronic cigarette
144 products to any person in this state who is not a described person. For
145 purposes of this subsection and subsection (d) of this section, "described
146 person" means a person described in subdivision (1) or (2) of subsection
147 (a) of this section.

148 (d) When a person engaged in the business of selling electronic
149 nicotine delivery systems or vapor products ships or transports or
150 causes to be shipped or transported any electronic nicotine delivery
151 system or vapor product to a described person in this state, other than
152 in the electronic nicotine delivery system's or vapor product's original
153 container or wrapping, the container or wrapping shall be plainly and
154 visibly marked with the following: "CONTAINS AN ELECTRONIC
155 NICOTINE DELIVERY SYSTEM OR VAPOR PRODUCT –
156 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
157 DELIVERY". Any person engaged in the business of selling electronic
158 nicotine delivery systems or vapor products who ships or causes to be
159 shipped any electronic nicotine delivery system or vapor product to any
160 described person in this state (1) shall require, as a condition of delivery,
161 the customer who is receiving the electronic nicotine delivery system or
162 vapor product to sign an acknowledgment of receipt and provide
163 proper proof of age, and (2) may not sell such electronic nicotine
164 delivery system or vapor product to such customer unless such proof of
165 age is provided.

166 (e) Whenever any electronic nicotine delivery system or vapor
167 product has been or is being shipped or transported in violation of this
168 section, such electronic nicotine delivery system or vapor product is
169 declared to be contraband goods and shall be subject to confiscation,
170 storage and destruction. The costs of such confiscation, storage and
171 destruction shall be charged to the person who shipped or transported

172 or caused to be shipped or transported such electronic nicotine delivery
173 system or vapor product.

174 (f) Any person who violates the provisions of subsection (b), (c) or (d)
175 of this section shall be guilty of a class B misdemeanor and, for a second
176 or subsequent violation, shall be guilty of a class A misdemeanor.

177 (g) The Commissioner of Revenue Services may impose a civil
178 penalty of not more than ten thousand dollars for each violation of
179 subsection (b), (c) or (d) of this section. For purposes of this subsection,
180 each shipment or transport of an electronic nicotine delivery system or
181 a vapor product shall constitute a separate violation.

182 (h) A violation of subsection (b), (c) or (d) of this section shall be an
183 unfair trade practice pursuant to subsection (a) of section 42-110b and
184 the Commissioner of Consumer Protection may authorize the
185 Commissioner of Revenue Services to bring an action pursuant to said
186 section.

187 Sec. 4. Section 53-344b of the general statutes is repealed and the
188 following is substituted in lieu thereof (*Effective July 1, 2025*):

189 (a) As used in this section:

190 (1) "Electronic nicotine delivery system" has the same meaning as
191 provided in section 21a-415;

192 (2) "Cardholder" means any person who presents a driver's license or
193 an identity card to a seller or seller's agent or employee, to purchase or
194 receive an electronic nicotine delivery system or a vapor product from
195 such seller or seller's agent or employee;

196 (3) "Identity card" means an identification card issued in accordance
197 with the provisions of section 1-1h;

198 (4) "Transaction scan" means the process by which a seller or seller's
199 agent or employee checks, by means of a transaction scan device, the

200 validity of a driver's license or an identity card;

201 (5) "Transaction scan device" means any commercial device or
202 combination of devices used at a point of sale that is capable of
203 deciphering in an electronically readable format the information
204 encoded on the magnetic strip or bar code of a driver's license or an
205 identity card;

206 (6) "Sale" or "sell" means an act done intentionally by any person,
207 whether done as principal, proprietor, agent, servant or employee, of
208 transferring, or offering or attempting to transfer, for consideration, an
209 electronic nicotine delivery system or a vapor product, including
210 bartering or exchanging, or offering to barter or exchange, an electronic
211 nicotine delivery system or a vapor product;

212 (7) "Give" or "giving" means an act done intentionally by any person,
213 whether done as principal, proprietor, agent, servant or employee, of
214 transferring, or offering or attempting to transfer, without
215 consideration, an electronic nicotine delivery system or a vapor product;

216 (8) "Deliver" or "delivering" means an act done intentionally by any
217 person, whether as principal, proprietor, agent, servant or employee, of
218 transferring, or offering or attempting to transfer, physical possession
219 or control of an electronic nicotine delivery system or a vapor product;

220 (9) "Vapor product" has the same meaning as provided in section 21a-
221 415; and

222 (10) "Seller" means any person who sells, gives or delivers an
223 electronic nicotine delivery system or a vapor product.

224 (b) Any person who sells, gives or delivers to any person under
225 twenty-one years of age an electronic nicotine delivery system or a
226 vapor product in any form shall be fined not more than three hundred
227 dollars for the first offense, not more than seven hundred fifty dollars
228 for a second offense on or before twenty-four months after the date of

229 the first offense and not more than one thousand dollars for each
 230 subsequent offense on or before twenty-four months after the date of the
 231 first offense. The provisions of this subsection shall not apply to a person
 232 under twenty-one years of age who is delivering or accepting delivery
 233 of an electronic nicotine delivery system or a vapor product (1) in such
 234 person's capacity as an employee, or (2) as part of a scientific study being
 235 conducted by an organization for the purpose of medical research to
 236 further efforts in tobacco use prevention and cessation, provided such
 237 medical research has been approved by the organization's institutional
 238 review board, as defined in section 21a-408.

239 (c) Any person under twenty-one years of age who misrepresents
 240 such person's age to purchase an electronic nicotine delivery system or
 241 a vapor product in any form shall be fined not more than fifty dollars
 242 for the first offense and not less than fifty dollars or more than one
 243 hundred dollars for each subsequent offense.

244 (d) (1) A seller or seller's agent or employee shall request that each
 245 person intending to purchase an electronic nicotine delivery system or
 246 a vapor product present a driver's license or identity card to establish
 247 that such person is twenty-one years of age or older.

248 ~~[(d) (1)]~~ (2) A seller or seller's agent or employee may perform a
 249 transaction scan to check the validity of a driver's license or identity card
 250 presented by a cardholder as a condition for selling, giving or otherwise
 251 delivering an electronic nicotine delivery system or a vapor product to
 252 the cardholder.

253 ~~[(2)]~~ (3) If the information deciphered by the transaction scan
 254 performed under subdivision ~~[(1)]~~ (2) of this subsection fails to match
 255 the information printed on the driver's license or identity card presented
 256 by the cardholder, or if the transaction scan indicates that the
 257 information so printed is false or fraudulent, neither the seller nor any
 258 seller's agent or employee shall sell, give or otherwise deliver any
 259 electronic nicotine delivery system or vapor product to the cardholder.

260 ~~[(3)]~~ (4) Subdivision ~~[(1)]~~ (2) of this subsection does not preclude a
261 seller or seller's agent or employee from using a transaction scan device
262 to check the validity of a document other than a driver's license or an
263 identity card, if the document includes a bar code or magnetic strip that
264 may be scanned by the device, as a condition for selling, giving or
265 otherwise delivering an electronic nicotine delivery system or a vapor
266 product to the person presenting the document.

267 (e) (1) No seller or seller's agent or employee shall electronically or
268 mechanically record or maintain any information derived from a
269 transaction scan, except the following: (A) The name and date of birth
270 of the person listed on the driver's license or identity card presented by
271 a cardholder; and (B) the expiration date and identification number of
272 the driver's license or identity card presented by a cardholder.

273 (2) No seller or seller's agent or employee shall use a transaction scan
274 device for a purpose other than the purposes specified in subsection (d)
275 of this section, subsection (d) of section 53-344 or subsection (c) of
276 section 30-86.

277 (3) No seller or seller's agent or employee shall sell or otherwise
278 disseminate the information derived from a transaction scan to any third
279 party, including, but not limited to, selling or otherwise disseminating
280 that information for any marketing, advertising or promotional
281 activities, but a seller or seller's agent or employee may release that
282 information pursuant to a court order.

283 (4) Nothing in subsection (d) of this section or this subsection relieves
284 a seller or seller's agent or employee of any responsibility to comply
285 with any other applicable state or federal laws or rules governing
286 selling, giving or otherwise delivering electronic nicotine delivery
287 systems or vapor products.

288 (5) Any person who violates this subsection shall be subject to a civil
289 penalty of not more than one thousand dollars.

290 (f) (1) In any prosecution of a seller or seller's agent or employee for
291 a violation of subsection (b) of this section, it shall be an affirmative
292 defense that all of the following occurred: (A) A cardholder attempting
293 to purchase or receive an electronic nicotine delivery system or a vapor
294 product presented a driver's license or an identity card; (B) a transaction
295 scan of the driver's license or identity card that the cardholder presented
296 indicated that the license or card was valid and indicated that the
297 cardholder was at least twenty-one years of age; and (C) the electronic
298 nicotine delivery system or vapor product was sold, given or otherwise
299 delivered to the cardholder in reasonable reliance upon the
300 identification presented and the completed transaction scan.

301 (2) In determining whether a seller or seller's agent or employee has
302 proven the affirmative defense provided by subdivision (1) of this
303 section, the trier of fact in such prosecution shall consider that
304 reasonable reliance upon the identification presented and the completed
305 transaction scan may require a seller or seller's agent or employee to
306 exercise reasonable diligence and that the use of a transaction scan
307 device does not excuse a seller or seller's agent or employee from
308 exercising such reasonable diligence to determine the following: (A)
309 Whether a person to whom the seller or seller's agent or employee sells,
310 gives or otherwise delivers an electronic nicotine delivery system or a
311 vapor product is twenty-one years of age or older; and (B) whether the
312 description and picture appearing on the driver's license or identity card
313 presented by a cardholder is that of the cardholder.

314 (g) Each seller of electronic nicotine delivery systems or vapor
315 products or such seller's agent or employee shall require a person who
316 is purchasing or attempting to purchase an electronic nicotine delivery
317 system or a vapor product and appears to be under the age of thirty to
318 exhibit proper proof of age. If a person fails to provide such proof of age,
319 such seller or seller's agent or employee shall not sell an electronic
320 nicotine delivery system or a vapor product to the person. As used in
321 this subsection, "proper proof" means a motor vehicle operator's license,
322 a valid passport or an identity card issued in accordance with the

323 provisions of section 1-1h.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2025</i>	12-285(b)
Sec. 2	<i>July 1, 2025</i>	12-285c
Sec. 3	<i>July 1, 2025</i>	21a-418
Sec. 4	<i>July 1, 2025</i>	53-344b

Statement of Purpose:

To (1) revise the definition of "cigarette", (2) extend the restrictions on shipping or transporting cigarettes to tobacco products and establish an additional penalty for violating such restrictions, (3) establish restrictions on the shipping or transport of electronic nicotine delivery systems and vapor products, and (4) require a seller or seller's agent to request age verification for the purchase of electronic nicotine delivery systems and vapor products.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]