



General Assembly

## ***Substitute Bill No. 7275***

*January Session, 2025*



### ***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2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  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 Section 12-285c of the general statutes is repealed and the  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) (1) No person engaged in the business of selling cigarettes or  
34 tobacco products, as defined in section 12-330a, shall ship or transport  
35 or cause to be shipped or transported any cigarettes or tobacco products  
36 to any person in this state except to: [(1)] (A) A cigarette distributor or  
37 dealer; [(2)] (B) an export warehouse proprietor pursuant to Chapter 52  
38 of the Internal Revenue Code of 1986, or any subsequent corresponding  
39 internal revenue code of the United States, as amended from time to  
40 time, or an operator of a customs bonded warehouse pursuant to 19 USC  
41 1311 or 1555; [or (3)] (C) a person who is an officer, employee or agent  
42 of the United States Government, this state or a department, agency,  
43 instrumentality or political subdivision of the United States or of this  
44 state, when such person is acting in accordance with such person's  
45 official duties. Notwithstanding the provisions of section 12-15, the  
46 Commissioner of Revenue Services shall publish on the Internet web  
47 site of the Department of Revenue Services a list of every cigarette  
48 distributor or dealer; or (D) a customer when the shipment consists  
49 solely of premium cigars.

50       (2) As used in this subsection, (A) "cigarette distributor or dealer"  
51 means a person licensed as a cigarette distributor under section 12-288  
52 or licensed as a dealer under section 12-287 or a person whose name  
53 appears on a list of licensed distributors and dealers published by the  
54 Commissioner of Revenue Services, and (B) "premium cigar" means a  
55 cigar that is handmade; is not mass-produced by use of mechanization;  
56 has a wrapper made entirely from whole tobacco leaf; has no filter, tip  
57 or nontobacco mouthpiece; is capped by hand; and has a wholesale price  
58 of not less than thirty dollars per cigar.

59       (b) No common or contract carrier shall knowingly transport  
60 cigarettes or tobacco products to a residential dwelling or to any person  
61 in this state who the common or contract carrier reasonably believes is  
62 not a person described in [subdivisions (1) to (3)] subparagraphs (A) to  
63 (D), inclusive, of subdivision (1) of subsection (a) of this section. No  
64 person other than a common or contract carrier shall knowingly  
65 transport cigarettes or tobacco products to any person in this state who  
66 is not a person described in [subdivisions (1) to (3)] subparagraphs (A)  
67 to (D), inclusive, of subdivision (1) of subsection (a) of this section.

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

84 (d) Whenever any cigarettes or tobacco products have been or are  
85 being shipped or transported in violation of this section, such cigarettes  
86 or tobacco products are declared to be contraband goods and the  
87 confiscation, search and forfeiture provisions of section 12-305 shall  
88 apply.

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

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

104 (g) A violation of subsection (a), (b) or (c) of this section shall be an  
105 unfair trade practice pursuant to subsection (a) of section 42-110b and  
106 the Commissioner of Consumer Protection may authorize the  
107 Commissioner of Revenue Services to bring an action pursuant to said  
108 section.

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

111 (a) As used in this section:

112 (1) "Person" means any individual, firm, fiduciary, partnership,  
113 corporation, limited liability company, trust or association, however  
114 formed;

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

117 (3) "Vapor product" has the same meaning as provided in section 21a-  
118 415.

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

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

145 (c) No common or contract carrier shall knowingly transport  
146 electronic nicotine delivery systems or vapor products to a residential

147 dwelling or to any person in this state who the common or contract  
148 carrier reasonably believes is not a person described in subdivision (1)  
149 or (2) of subsection (b) of this section. No person other than a common  
150 or contract carrier shall knowingly transport electronic cigarette  
151 products to any person in this state who is not a described person. For  
152 purposes of this subsection and subsection (d) of this section, "described  
153 person" means a person described in subdivision (1) or (2) of subsection  
154 (b) of this section.

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

173 (e) Whenever any electronic nicotine delivery system or vapor  
174 product has been or is being shipped or transported in violation of this  
175 section, such electronic nicotine delivery system or vapor product is  
176 declared to be contraband goods and shall be subject to confiscation,  
177 storage and destruction. The costs of such confiscation, storage and  
178 destruction shall be charged to the person who shipped or transported  
179 or caused to be shipped or transported such electronic nicotine delivery  
180 system or vapor product.

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

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

189     (h) A violation of subsection (b), (c) or (d) of this section shall be an  
190     unfair trade practice pursuant to subsection (a) of section 42-110b and  
191     the Commissioner of Consumer Protection may authorize the  
192     Commissioner of Revenue Services to bring an action pursuant to said  
193     section.

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

196     (a) As used in this section:

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

199     (2) "Cardholder" means any person who presents a driver's license, a  
200     passport or an identity card to a seller or seller's agent or employee, to  
201     purchase or receive an electronic nicotine delivery system or a vapor  
202     product from such seller or seller's agent or employee;

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

205     (4) "Transaction scan" means the process by which a seller or seller's  
206     agent or employee checks, by means of a transaction scan device, the  
207     validity of a driver's license, a passport or an identity card;

208     (5) "Transaction scan device" means any commercial device or  
209     combination of devices used at a point of sale that is capable of

210 deciphering in an electronically readable format the information  
211 encoded on the magnetic strip or bar code of a driver's license, a  
212 passport or an identity card;

213 (6) "Sale" or "sell" means an act done intentionally by any person,  
214 whether done as principal, proprietor, agent, servant or employee, of  
215 transferring, or offering or attempting to transfer, for consideration, an  
216 electronic nicotine delivery system or a vapor product, including  
217 bartering or exchanging, or offering to barter or exchange, an electronic  
218 nicotine delivery system or a vapor product;

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

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

227 (9) "Vapor product" has the same meaning as provided in section 21a-  
228 415; and

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

231 (b) Any person who sells, gives or delivers to any person under  
232 twenty-one years of age an electronic nicotine delivery system or a  
233 vapor product in any form shall be fined not more than [three hundred  
234 dollars for the first offense, not more than seven hundred fifty dollars  
235 for a second offense on or before twenty-four months after the date of  
236 the first offense and not more than] one thousand dollars for each  
237 [subsequent] offense. [on or before twenty-four months after the date of  
238 the first offense.] The provisions of this subsection shall not apply to a  
239 person under twenty-one years of age who is delivering or accepting  
240 delivery of an electronic nicotine delivery system or a vapor product (1)



241 in such person's capacity as an employee, or (2) as part of a scientific  
242 study being conducted by an organization for the purpose of medical  
243 research to further efforts in tobacco use prevention and cessation,  
244 provided such medical research has been approved by the  
245 organization's institutional review board, as defined in section 21a-408.

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

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

255 [(d) (1)] (2) A seller or seller's agent or employee may perform a  
256 transaction scan to check the validity of a driver's license, a passport or  
257 an identity card presented by a cardholder as a condition for selling,  
258 giving or otherwise delivering an electronic nicotine delivery system or  
259 a vapor product to the cardholder.

260 [(2)] (3) If the information deciphered by the transaction scan  
261 performed under subdivision [(1)] (2) of this subsection fails to match  
262 the information printed on the driver's license, passport or identity card  
263 presented by the cardholder, or if the transaction scan indicates that the  
264 information so printed is false or fraudulent, neither the seller nor any  
265 seller's agent or employee shall sell, give or otherwise deliver any  
266 electronic nicotine delivery system or vapor product to the cardholder.

267 [(3) Subdivision (1) of this subsection does not preclude a seller or  
268 seller's agent or employee from using a transaction scan device to check  
269 the validity of a document other than a driver's license or an identity  
270 card, if the document includes a bar code or magnetic strip that may be  
271 scanned by the device, as a condition for selling, giving or otherwise  
272 delivering an electronic nicotine delivery system or vapor product to the

273 person presenting the document.]

274 (e) (1) No seller or seller's agent or employee shall electronically or  
275 mechanically record or maintain any information derived from a  
276 transaction scan, except the following: (A) The name and date of birth  
277 of the person listed on the driver's license, passport or identity card  
278 presented by a cardholder; and (B) the expiration date and identification  
279 number of the driver's license, passport or identity card presented by a  
280 cardholder.

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

285 (3) No seller or seller's agent or employee shall sell or otherwise  
286 disseminate the information derived from a transaction scan to any third  
287 party, including, but not limited to, selling or otherwise disseminating  
288 that information for any marketing, advertising or promotional  
289 activities, but a seller or seller's agent or employee may release that  
290 information pursuant to a court order.

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

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

298 (f) (1) In any prosecution of a seller or seller's agent or employee for  
299 a violation of subsection (b) of this section, it shall be an affirmative  
300 defense that all of the following occurred: (A) A cardholder attempting  
301 to purchase or receive an electronic nicotine delivery system or a vapor  
302 product presented a driver's license, a passport or an identity card; (B)  
303 a transaction scan of the driver's license, passport or identity card that

304 the cardholder presented indicated that the driver's license, passport or  
305 identity card was valid and indicated that the cardholder was at least  
306 twenty-one years of age; and (C) the electronic nicotine delivery system  
307 or vapor product was sold, given or otherwise delivered to the  
308 cardholder in reasonable reliance upon the identification presented and  
309 the completed transaction scan.

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

323 (g) Each seller of electronic nicotine delivery systems or vapor  
324 products or such seller's agent or employee shall require a person who  
325 is purchasing or attempting to purchase an electronic nicotine delivery  
326 system or a vapor product and appears to be under the age of thirty to  
327 exhibit proper proof of age. If a person fails to provide such proof of age,  
328 such seller or seller's agent or employee shall not sell an electronic  
329 nicotine delivery system or a vapor product to the person. As used in  
330 this subsection, "proper proof" means a motor vehicle operator's license,  
331 a valid passport or an identity card issued in accordance with the  
332 provisions of section 1-1h.

333 (h) The Commissioner of Consumer Protection may suspend or  
334 revoke, pursuant to chapter 420g, the dealer registration of a person who  
335 violates any provision of this section.

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

**FIN**      *Joint Favorable Subst.*