



General Assembly

Substitute Bill No. 7275

January Session, 2025



***AN ACT CONCERNING THE REGULATION OF CIGARETTES,
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2 repealed and the following is substituted in lieu thereof (*Effective July 1,*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 Section 21a-418 of the general statutes is repealed and the
32 following is substituted in lieu thereof (*Effective July 1, 2025*):

33 (a) As used in this section:

34 (1) "Person" means any individual, firm, fiduciary, partnership,
35 corporation, limited liability company, trust or association, however
36 formed;

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

39 (3) "Vapor product" has the same meaning as provided in section 21a-
40 415.

41 [(b) A person with an electronic nicotine delivery system certificate
42 of dealer registration, when selling and shipping an electronic nicotine
43 delivery system or a vapor product directly to a consumer in the state,
44 shall: (1) Ensure that the shipping labels on all containers of an electronic
45 nicotine delivery system or vapor product shipped directly to a
46 consumer in the state conspicuously states the following: "CONTAINS
47 AN ELECTRONIC NICOTINE DELIVERY SYSTEM OR VAPOR

48 PRODUCT—SIGNATURE OF A PERSON AGE 21 OR OLDER
49 REQUIRED FOR DELIVERY"; and (2) obtain the signature of a person
50 age twenty-one or older at the shipping address prior to delivery, after
51 requiring the signer to demonstrate that he or she is age twenty-one or
52 older by providing a valid motor vehicle operator's license or a valid
53 identity card described in section 1-1h.]

54 (b) No person engaged in the business of selling electronic nicotine
55 delivery systems or vapor products shall ship or transport or cause to
56 be shipped or transported any electronic nicotine delivery system or
57 vapor product to any person in this state except to: (1) A person holding
58 a dealer registration or a manufacturer registration, as those terms are
59 defined in section 21a-415; or (2) a person who is an officer, employee or
60 agent of the United States Government, this state or a department,
61 agency, instrumentality or political subdivision of the United States or
62 of this state, when such person is acting in accordance with such
63 person's official duties. The Commissioner of Consumer Protection shall
64 publish on the Internet web site of the Department of Consumer
65 Protection a list of every person that holds a dealer registration or a
66 manufacturer registration.

67 (c) No common or contract carrier shall knowingly transport
68 electronic nicotine delivery systems or vapor products to a residential
69 dwelling or to any person in this state who the common or contract
70 carrier reasonably believes is not a person described in subdivision (1)
71 or (2) of subsection (b) of this section. No person other than a common
72 or contract carrier shall knowingly transport electronic cigarette
73 products to any person in this state who is not a described person. For
74 purposes of this subsection and subsection (d) of this section, "described
75 person" means a person described in subdivision (1) or (2) of subsection
76 (b) of this section.

77 (d) When a person engaged in the business of selling electronic
78 nicotine delivery systems or vapor products ships or transports or
79 causes to be shipped or transported any electronic nicotine delivery
80 system or vapor product to a described person in this state, other than

81 in the electronic nicotine delivery system's or vapor product's original
82 container or wrapping, the container or wrapping shall be plainly and
83 visibly marked with the following: "CONTAINS AN ELECTRONIC
84 NICOTINE DELIVERY SYSTEM OR VAPOR PRODUCT –
85 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
86 DELIVERY". Any person engaged in the business of selling electronic
87 nicotine delivery systems or vapor products who ships or causes to be
88 shipped any electronic nicotine delivery system or vapor product to any
89 described person in this state (1) shall require, as a condition of delivery,
90 the customer who is receiving the electronic nicotine delivery system or
91 vapor product to sign an acknowledgment of receipt and provide
92 proper proof of age, and (2) may not sell such electronic nicotine
93 delivery system or vapor product to such customer unless such proof of
94 age is provided.

95 (e) Whenever any electronic nicotine delivery system or vapor
96 product has been or is being shipped or transported in violation of this
97 section, such electronic nicotine delivery system or vapor product is
98 declared to be contraband goods and shall be subject to confiscation,
99 storage and destruction. The costs of such confiscation, storage and
100 destruction shall be charged to the person who shipped or transported
101 or caused to be shipped or transported such electronic nicotine delivery
102 system or vapor product.

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

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

111 (h) A violation of subsection (b), (c) or (d) of this section shall be an
112 unfair trade practice pursuant to subsection (a) of section 42-110b and

113 the Commissioner of Consumer Protection may authorize the
114 Commissioner of Revenue Services to bring an action pursuant to said
115 section.

116 Sec. 3. Section 53-344b of the general statutes is repealed and the
117 following is substituted in lieu thereof (*Effective July 1, 2025*):

118 (a) As used in this section:

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

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

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

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

130 (5) "Transaction scan device" means any commercial device or
131 combination of devices used at a point of sale that is capable of
132 deciphering in an electronically readable format the information
133 encoded on the magnetic strip or bar code of a driver's license, a
134 passport or an identity card;

135 (6) "Sale" or "sell" means an act done intentionally by any person,
136 whether done as principal, proprietor, agent, servant or employee, of
137 transferring, or offering or attempting to transfer, for consideration, an
138 electronic nicotine delivery system or a vapor product, including
139 bartering or exchanging, or offering to barter or exchange, an electronic
140 nicotine delivery system or a vapor product;

141 (7) "Give" or "giving" means an act done intentionally by any person,

142 whether done as principal, proprietor, agent, servant or employee, of
143 transferring, or offering or attempting to transfer, without
144 consideration, an electronic nicotine delivery system or a vapor product;

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

149 (9) "Vapor product" has the same meaning as provided in section 21a-
150 415; and

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

153 (b) Any person who sells, gives or delivers to any person under
154 twenty-one years of age an electronic nicotine delivery system or a
155 vapor product in any form shall be fined not more than [three hundred
156 dollars for the first offense, not more than seven hundred fifty dollars
157 for a second offense on or before twenty-four months after the date of
158 the first offense and not more than] one thousand dollars for each
159 [subsequent] offense. [on or before twenty-four months after the date of
160 the first offense.] The provisions of this subsection shall not apply to a
161 person under twenty-one years of age who is delivering or accepting
162 delivery of an electronic nicotine delivery system or a vapor product (1)
163 in such person's capacity as an employee, or (2) as part of a scientific
164 study being conducted by an organization for the purpose of medical
165 research to further efforts in tobacco use prevention and cessation,
166 provided such medical research has been approved by the
167 organization's institutional review board, as defined in section 21a-408.

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

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

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

182 [(2)] (3) If the information deciphered by the transaction scan
183 performed under subdivision [(1)] (2) of this subsection fails to match
184 the information printed on the driver's license, passport or identity card
185 presented by the cardholder, or if the transaction scan indicates that the
186 information so printed is false or fraudulent, neither the seller nor any
187 seller's agent or employee shall sell, give or otherwise deliver any
188 electronic nicotine delivery system or vapor product to the cardholder.

189 [(3) Subdivision (1) of this subsection does not preclude a seller or
190 seller's agent or employee from using a transaction scan device to check
191 the validity of a document other than a driver's license or an identity
192 card, if the document includes a bar code or magnetic strip that may be
193 scanned by the device, as a condition for selling, giving or otherwise
194 delivering an electronic nicotine delivery system or vapor product to the
195 person presenting the document.]

196 (e) (1) No seller or seller's agent or employee shall electronically or
197 mechanically record or maintain any information derived from a
198 transaction scan, except the following: (A) The name and date of birth
199 of the person listed on the driver's license, passport or identity card
200 presented by a cardholder; and (B) the expiration date and identification
201 number of the driver's license, passport or identity card presented by a
202 cardholder.

203 (2) No seller or seller's agent or employee shall use a transaction scan
204 device for a purpose other than the purposes specified in subsection (d)

205 of this section, subsection (d) of section 53-344 or subsection (c) of
206 section 30-86.

207 (3) No seller or seller's agent or employee shall sell or otherwise
208 disseminate the information derived from a transaction scan to any third
209 party, including, but not limited to, selling or otherwise disseminating
210 that information for any marketing, advertising or promotional
211 activities, but a seller or seller's agent or employee may release that
212 information pursuant to a court order.

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

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

220 (f) (1) In any prosecution of a seller or seller's agent or employee for
221 a violation of subsection (b) of this section, it shall be an affirmative
222 defense that all of the following occurred: (A) A cardholder attempting
223 to purchase or receive an electronic nicotine delivery system or a vapor
224 product presented a driver's license, a passport or an identity card; (B)
225 a transaction scan of the driver's license, passport or identity card that
226 the cardholder presented indicated that the driver's license, passport or
227 identity card was valid and indicated that the cardholder was at least
228 twenty-one years of age; and (C) the electronic nicotine delivery system
229 or vapor product was sold, given or otherwise delivered to the
230 cardholder in reasonable reliance upon the identification presented and
231 the completed transaction scan.

232 (2) In determining whether a seller or seller's agent or employee has
233 proven the affirmative defense provided by subdivision (1) of this
234 section, the trier of fact in such prosecution shall consider that
235 reasonable reliance upon the identification presented and the completed
236 transaction scan may require a seller or seller's agent or employee to

237 exercise reasonable diligence and that the use of a transaction scan
 238 device does not excuse a seller or seller's agent or employee from
 239 exercising such reasonable diligence to determine the following: (A)
 240 Whether a person to whom the seller or seller's agent or employee sells,
 241 gives or otherwise delivers an electronic nicotine delivery system or a
 242 vapor product is twenty-one years of age or older; and (B) whether the
 243 description and picture appearing on the driver's license, passport or
 244 identity card presented by a cardholder is that of the cardholder.

245 (g) Each seller of electronic nicotine delivery systems or vapor
 246 products or such seller's agent or employee shall require a person who
 247 is purchasing or attempting to purchase an electronic nicotine delivery
 248 system or a vapor product and appears to be under the age of thirty to
 249 exhibit proper proof of age. If a person fails to provide such proof of age,
 250 such seller or seller's agent or employee shall not sell an electronic
 251 nicotine delivery system or a vapor product to the person. As used in
 252 this subsection, "proper proof" means a motor vehicle operator's license,
 253 a valid passport or an identity card issued in accordance with the
 254 provisions of section 1-1h.

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

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

JUD Joint Favorable Subst.