



General Assembly

February Session, 2026

Raised Bill No. 5228

LCO No. 1412



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

**AN ACT CONCERNING CIGARETTE DEALERS AND ELECTRONIC
NICOTINE DELIVERY SYSTEM AND VAPOR PRODUCT DEALERS.**

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

1 Section 1. Section 12-287 of the 2026 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2026*):

4 (a) Each person engaging in, or intending to engage in, the business
5 of selling cigarettes in this state as a dealer and each person engaging in,
6 or intending to engage in, the business of selling taxed tobacco products
7 at retail shall secure a dealer's license from the Commissioner of
8 Revenue Services before engaging in such business or continuing to
9 engage therein. The department shall not issue an initial license to an
10 applicant until such applicant has complied with the provisions of
11 subsection (b) of this section. Subject to the provisions of section 12-286,
12 such license shall be renewable annually, provided that prior to renewal
13 the commissioner shall consider and respond to any comments received
14 pursuant to section 12-287a.

15 (b) (1) Upon filing an application, an applicant shall, in a form and

16 manner prescribed by the department, give notice of such application to
17 the clerk of the municipality where the business is to be located. Such
18 notice shall contain the name and residential address of the applicant
19 and the location of the place of business for which such license is to be
20 issued. Upon receipt of such notice, the clerk shall post and maintain
21 such notice on the Internet web site of the municipality for at least two
22 weeks.

23 (2) Not later than the day following the date an applicant provides
24 notice pursuant to subdivision (1) of this subsection, the applicant shall
25 affix a copy of such notice, which shall be maintained in a legible
26 condition, upon the outer door of the building wherein such place of
27 business is to be located. If an application is filed for a license for a
28 building that has not yet been constructed, the applicant shall, not later
29 than the day following the date an applicant provides notice pursuant
30 to subdivision (1) of this subsection, erect and maintain in a legible
31 condition on the site where the business is to be located, a sign that (A)
32 is not less than six feet by four feet, (B) contains the license applied for
33 and the name of the proposed licensee, and (C) is clearly visible from
34 the public highway.

35 (3) An applicant shall make a return to the department, under oath,
36 of compliance with the requirements of subdivisions (1) and (2) of this
37 subsection, in such form as the department may require. The
38 department may require additional proof of compliance. Upon receipt
39 of sufficient evidence of such compliance, the department may hold a
40 hearing as to the suitability of the proposed location.

41 (4) Each application for an initial dealer's license filed with the
42 department on or after October 1, 2026, shall include such information
43 as the department may require to determine that (A) not more than
44 twenty-five per cent of the total floor area dedicated to retail sales at the
45 applicant's proposed location will be dedicated to retail sales of
46 cigarettes and taxed tobacco products, and (B) the applicant's annual
47 gross sales from cigarettes and taxed tobacco products sold at retail at

48 the applicant's proposed location will not exceed fifty per cent of the
49 applicant's total annual gross sales from all goods sold at retail at such
50 proposed location.

51 (5) (A) Notwithstanding the provisions of this chapter, the
52 commissioner shall not issue an initial dealer's license to an applicant if
53 (i) the applicant files an application for an initial dealer's license on or
54 after October 1, 2026, and (ii) the commissioner determines, in the
55 commissioner's discretion, that (I) more than twenty-five per cent of the
56 total floor area dedicated to retail sales at the applicant's proposed
57 location will be dedicated to retail sales of cigarettes and taxed tobacco
58 products, or (II) the applicant's annual gross sales from cigarettes and
59 taxed tobacco products sold at retail at the applicant's proposed location
60 will exceed fifty per cent of the applicant's total annual gross sales from
61 all goods sold at retail at such proposed location.

62 (B) Notwithstanding the provisions of this chapter, the commissioner
63 shall not renew a dealer's license for an applicant if (i) the applicant filed
64 an application for an initial dealer's license on or after October 1, 2026,
65 and (ii) the commissioner determines, in the commissioner's discretion,
66 that during the license period immediately preceding the renewal, (I)
67 more than twenty-five per cent of the total floor area dedicated to retail
68 sales at the applicant's retail establishment was dedicated to retail sales
69 of cigarettes and taxed tobacco products, or (II) the applicant's annual
70 gross sales from cigarettes and taxed tobacco products sold at retail at
71 the applicant's retail establishment exceeded fifty per cent of the
72 applicant's total annual gross sales from all goods sold at retail at such
73 retail establishment.

74 (c) (1) Any ten persons who are at least eighteen years of age and who
75 are residents of the town in which the place of business is intended to
76 be operated under the license or renewal applied for, may file with the
77 department, not later than three weeks after the last date of the posting
78 of notice pursuant to subdivision (1) of subsection (b) of this section for
79 an initial license, and, in the case of renewal of an existing license, at

80 least twenty-one days before the renewal date of such license, a
81 remonstrance containing any objection to the suitability of such
82 applicant or proposed place of business. Upon the filing of such
83 remonstrance, the department, upon written application, shall hold a
84 hearing and provide such notice as it deems reasonable of the time and
85 place at least five days before such hearing. The remonstrants shall
86 designate one or more agents for service, who shall serve as the recipient
87 or recipients of all notices issued by the department. At any time prior
88 to the issuance of a decision by the department, a remonstrance may be
89 withdrawn by the remonstrants or by such agent or agents acting on
90 behalf of such remonstrants and the department may cancel the hearing
91 or withdraw the case. The decision of the department on such
92 application shall be final with respect to the remonstrance.

93 (2) Any ten persons who have filed a remonstrance pursuant to the
94 provisions of subdivision (1) of this subsection and who are aggrieved
95 by the granting of a license by the department may appeal therefrom in
96 accordance with section 4-183.

97 (d) The annual fee for a dealer's license shall be two hundred dollars.
98 Such license shall be valid for a period beginning with the date of license
99 to the thirtieth day of September next succeeding the date of license
100 unless sooner revoked as provided in section 12-295, or unless the
101 person to whom it was issued discontinues business, in either of which
102 cases the holder of the license shall immediately return it to the
103 commissioner. In the event of mutilation or destruction of such license,
104 a duplicate copy, marked as such, shall be issued by said commissioner
105 upon an application accompanied by a fee of fifteen dollars.

106 Sec. 2. Section 21a-415 of the 2026 supplement to the general statutes
107 is repealed and the following is substituted in lieu thereof (*Effective*
108 *October 1, 2026*):

109 (a) As used in this chapter:

110 (1) "Authorized owner" means the owner or authorized designee of a

111 business entity that is applying for a registration or is registered with
112 the Department of Consumer Protection pursuant to this chapter;

113 (2) "Business entity" means any corporation, limited liability
114 company, association, partnership, sole proprietorship, government,
115 governmental subdivision or agency, business trust, estate, trust or any
116 other legal entity;

117 (3) "Cigarette" has the same meaning as provided in subsection (b) of
118 section 12-285;

119 (4) "Dealer registration" means an electronic nicotine delivery system
120 certificate of dealer registration issued by the Commissioner of
121 Consumer Protection pursuant to this section;

122 (5) "Deliver" or "delivering" means transferring, or offering or
123 attempting to transfer, physical possession or control of an electronic
124 nicotine delivery system or vapor product by any person, whether done
125 as principal, proprietor, agent, servant or employee;

126 (6) "Drug paraphernalia" has the same meaning as provided in
127 section 21a-240;

128 (7) "Electronic cigarette liquid" means a liquid that, when used in an
129 electronic nicotine delivery system or vapor product, produces a vapor
130 that may or may not include nicotine and is inhaled by the user of such
131 electronic nicotine delivery system or vapor product;

132 (8) "Electronic nicotine delivery system" means an electronic device
133 used in the delivery of nicotine or other substances to an individual
134 inhaling from the device, and includes, but is not limited to, an
135 electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe
136 or electronic hookah and any related device and any cartridge or other
137 component of such device, including, but not limited to, electronic
138 cigarette liquid;

139 (9) "Manufacturer registration" means an electronic nicotine delivery

140 system certificate of manufacturer registration issued by the
141 Commissioner of Consumer Protection pursuant to section 21a-415a to
142 any person who mixes, compounds, repackages or resizes any nicotine-
143 containing electronic nicotine delivery system or vapor product;

144 (10) "Sale" or "sell" means transferring, or offering or attempting to
145 transfer, for consideration, including bartering or exchanging, or
146 offering to barter or exchange by any person, whether done as principal,
147 proprietor, agent, servant or employee;

148 (11) "Tobacco products" has the same meaning as provided in section
149 12-330a; and

150 (12) "Vapor product" means any product that employs a heating
151 element, power source, electronic circuit or other electronic, chemical or
152 mechanical means, regardless of shape or size, to produce a vapor that
153 may include nicotine and is inhaled by the user of such product. "Vapor
154 product" does not include a medicinal or therapeutic product that is (A)
155 used by a licensed health care provider to treat a patient in a health care
156 setting, (B) used by a patient, as prescribed or directed by a licensed
157 health care provider in any setting, or (C) any drug or device, as defined
158 in the federal Food, Drug and Cosmetic Act, 21 USC 321, as amended
159 from time to time, any combination product, as described in said act, 21
160 USC 353(g), as amended from time to time, or any biological product, as
161 described in 42 USC 262, as amended from time to time, and 21 CFR
162 600.3, as amended from time to time, authorized for sale by the United
163 States Food and Drug Administration.

164 (b) (1) No person in this state may sell or possess with intent to sell
165 an electronic nicotine delivery system or a vapor product unless such
166 person is employed by, an agent of or directly affiliated with a business
167 entity that maintains a dealer registration issued by the Commissioner
168 of Consumer Protection pursuant to this section. A separate dealer
169 registration shall be required for each place of business where such
170 system or product is sold, offered for sale or possessed with the intent

171 to sell. A dealer registration shall allow the sale of electronic nicotine
172 delivery systems or vapor products at such place of business. A holder
173 of a dealer registration shall post such registration in a prominent
174 location adjacent to electronic nicotine delivery system products or
175 vapor products offered for sale.

176 (2) The holder of a dealer registration shall maintain a sign, in a form
177 and manner prescribed by the commissioner and posted on the
178 Department of Consumer Protection's Internet web site, on all external
179 entry doors of the location operated under such dealer registration,
180 which shall clearly disclose that cannabis may not be sold at such
181 location.

182 (3) Each holder of a dealer registration that derives at least fifty per
183 cent of its annual gross revenue from sales of cigarettes, drug
184 paraphernalia, electronic nicotine delivery systems, nicotine products,
185 synthetic nicotine, tobacco products and vapor products shall verify,
186 with a valid government-issued driver's license or identity card, the age
187 of each individual entering the location operated under such dealer
188 registration, and shall prohibit any individual younger than twenty-one
189 years of age from entering such location.

190 (4) Each holder of a dealer registration shall maintain a complete set
191 of records required pursuant to this section, and all financial records
192 necessary to verify whether such holder derives at least fifty per cent of
193 its annual gross revenue from sales of cigarettes, drug paraphernalia,
194 electronic nicotine delivery systems, nicotine products, synthetic
195 nicotine, tobacco products and vapor products, for the then current tax
196 year and the three immediately preceding tax years. Such holder shall
197 make such records immediately available to the department, upon a
198 request made by the department, for inspection and copying by the
199 department. Such holder shall produce such records to the department
200 not later than three days after the department requests such records.
201 Such holder shall produce such records to the department in an
202 electronic format, unless it is commercially impractical to produce such

203 records to the department in an electronic format. No person shall use
204 any foreign language, code or symbol in maintaining the records
205 required under this section.

206 (c) (1) Any applicant for a dealer registration or a renewal of a dealer
207 registration shall apply to the Department of Consumer Protection, in a
208 form and manner prescribed by the Commissioner of Consumer
209 Protection, which application shall include, at a minimum:

210 (A) The name, address and electronic mail address of the applicant;

211 (B) The location that is to be operated under such dealer registration;

212 (C) The name of, and contact information for, each individual who
213 has a direct or indirect financial interest in such applicant, unless (i) such
214 applicant is a publicly traded company listed on a national stock
215 exchange, or (ii) the financial interest held by such individual owner and
216 such individual's spouse, parents and children, in the aggregate, does
217 not exceed ten per cent of the total ownership or interest rights in such
218 applicant;

219 (D) A third-party local and national criminal background check for
220 each owner listed on such application, which background check shall (i)
221 be conducted by a third-party consumer reporting agency or
222 background screening company that is in compliance with the federal
223 Fair Credit Reporting Act and accredited by the Professional
224 Background Screening Association, (ii) include a multistate and
225 multijurisdiction criminal record locator or other similar commercial
226 nation-wide database with validation and such other background
227 screening as the commissioner may require, and (iii) be requested by
228 such applicant not more than sixty days prior to submission of such
229 application;

230 (E) The name of the individual who shall serve as the fiduciary agent
231 and guarantor for such applicant, which individual shall be personally
232 liable in the event of any noncompliance that results in a debt owed to

233 the department;

234 (F) A disclosure of any enforcement action against, and any
235 negotiated settlement entered into by, such applicant or any owner
236 disclosed pursuant to this subsection, which action or settlement is
237 related to the sale of cigarettes, electronic nicotine delivery systems,
238 tobacco products or vapor products;

239 (G) The name of a manager or supervisor who is or will be physically
240 present at such applicant's location or proposed location; [and]

241 (H) A certification that an authorized owner or named designee of
242 such applicant has successfully completed the online prevention
243 education program administered by the Department of Mental Health
244 and Addiction Services pursuant to section 17a-719;

245 (I) In the case of an application for a dealer registration submitted on
246 or after October 1, 2026, such information as the department requires to
247 determine that (i) such applicant's annual gross revenue from sales of
248 cigarettes, drug paraphernalia, electronic nicotine delivery systems,
249 nicotine products, synthetic nicotine, tobacco products and vapor
250 products will not exceed fifty per cent of such applicant's annual gross
251 revenue from all sales at the location that is to be operated under such
252 dealer registration, and (ii) not more than twenty-five per cent of the
253 total floor area dedicated to sales at the location that is to be operated
254 under such dealer registration will be dedicated to sales of cigarettes,
255 drug paraphernalia, electronic nicotine delivery systems, nicotine
256 products, synthetic nicotine, tobacco products and vapor products; and

257 (J) In the case of an application for renewal of a dealer registration
258 initially issued on or after October 1, 2026, such information as the
259 department requires to determine that, during the registration period
260 immediately preceding such renewal, (i) such applicant's annual gross
261 revenue from sales of cigarettes, drug paraphernalia, electronic nicotine
262 delivery systems, nicotine products, synthetic nicotine, tobacco
263 products and vapor products did not exceed fifty per cent of such

264 applicant's annual gross revenue from all sales at the location operated
265 under such dealer registration, and (ii) not more than twenty-five per
266 cent of the total floor area dedicated to sales at the location operated
267 under such registration was dedicated to sales of cigarettes, drug
268 paraphernalia, electronic nicotine delivery systems, nicotine products,
269 synthetic nicotine, tobacco products and vapor products.

270 (2) The Department of Consumer Protection: (A) May require that an
271 applicant submit documents sufficient to establish that state and local
272 building, fire and zoning requirements will be met at the location of any
273 sale; (B) may, in the department's discretion, conduct an investigation to
274 determine whether a dealer registration shall be issued to an applicant;
275 and (C) shall not issue a dealer registration or a renewal of a dealer
276 registration to an applicant unless the applicant certifies that an
277 authorized owner or named designee of the applicant has successfully
278 completed the online prevention education program administered by
279 the Department of Mental Health and Addiction Services pursuant to
280 section 17a-719.

281 (3) The commissioner shall issue a dealer registration to any such
282 applicant not later than thirty days after the date of application, unless
283 the commissioner finds: (A) The applicant has made a materially false
284 or misleading statement in such application or in any other application
285 made to the commissioner; (B) the applicant has neglected to pay any
286 taxes due to this state; (C) the authorized owner or named designee of
287 the applicant has not successfully completed the online prevention
288 education program administered by the Department of Mental Health
289 and Addiction Services pursuant to section 17a-719; (D) the applicant
290 has a criminal history that is a sufficient basis for denial under section
291 46a-80; [or] (E) in the case of an application for a dealer registration
292 submitted on or after October 1, 2026, that (i) such applicant does not
293 satisfy the criteria established in subparagraph (I) of subdivision (1) of
294 this subsection, or (ii) the commissioner has already issued one dealer
295 registration for every two thousand five hundred residents of the town
296 in which the location that is to be operated under such dealer

297 registration will be located, as determined by the most recently
298 completed decennial census; or (F) the applicant has violated any other
299 provision of this section.

300 (4) A dealer registration issued under this section shall be renewed
301 annually, [and] except the department shall not renew a dealer
302 registration initially issued on or after October 1, 2026, if the department
303 determines that the applicant for renewal of such dealer registration
304 does not satisfy the criteria established in subparagraph (J) of
305 subdivision (1) of this subsection. A dealer registration issued under this
306 section may be suspended or revoked at the discretion of the
307 Department of Consumer Protection. A dealer registration shall not
308 constitute property, nor shall it be subject to attachment and execution,
309 nor shall it be alienable. Each holder of a dealer registration shall
310 annually attest in each renewal application as to whether such holder
311 derived at least fifty per cent of its annual gross revenue from sales of
312 cigarettes, drug paraphernalia, electronic nicotine delivery systems,
313 nicotine products, synthetic nicotine, tobacco products and vapor
314 products.

315 (5) The applicant shall pay to the department a nonrefundable
316 application fee of one thousand dollars, which fee shall be in addition to
317 the annual fee prescribed in subsection (d) of this section. An application
318 fee shall not be charged for an application to renew a dealer registration.

319 (d) The annual fee for a dealer registration shall be eight hundred
320 dollars.

321 (e) The Department of Consumer Protection may renew a dealer
322 registration issued under this section that has expired if the applicant
323 pays to the department any late fee imposed by the Commissioner of
324 Consumer Protection pursuant to subsection (d) of section 21a-4, which
325 late fee shall be in addition to the fees prescribed in this section for the
326 dealer registration applied for.

327 (f) (1) Any business entity in the state that sells, offers for sale or

328 possesses with intent to sell an electronic nicotine delivery system or
329 vapor product without a dealer registration as required under this
330 section shall, after a hearing conducted pursuant to chapter 54, be fined
331 not more than five thousand dollars per violation.

332 (2) Notwithstanding the provisions of subdivision (1) of this
333 subsection, any business entity with a dealer registration that has
334 expired for a period of ninety calendar days or less and that, during such
335 ninety-day period, sells, offers for sale or possesses with intent to sell an
336 electronic nicotine delivery system or vapor product shall be fined not
337 more than five hundred dollars for each day such business entity is in
338 violation of the provisions of this subdivision.

339 (3) A person holding a dealer registration shall update, through the
340 Department of Consumer Protection's online licensing system, any
341 application information such person has provided to the department
342 pursuant to this section, including, but not limited to, any contact
343 information, ownership information or criminal histories of the
344 individual owners of the business entity, not later than thirty days after
345 any change in such information.

346 (g) (1) For sufficient cause found as set forth in subdivision (2) of this
347 subsection, the Commissioner of Consumer Protection may suspend or
348 revoke a dealer registration, issue fines of not more than ten thousand
349 dollars per violation, accept an offer in compromise or refuse to grant or
350 renew a dealer registration, or place the registrant on probation, place
351 conditions on such registrant or take other actions authorized by law.
352 No information derived from an inspection or investigation conducted
353 by the Department of Consumer Protection related to an administrative
354 complaint or case shall be subject to disclosure under the Freedom of
355 Information Act, as defined in section 1-200, unless the department has
356 entered into a settlement agreement, or otherwise concluded its
357 investigation or inspection as evidenced by case closure. Nothing in this
358 subdivision shall be construed to prevent the department from sharing
359 any information with another state or federal agency or law

360 enforcement insofar as such information relates to an investigation of
361 any suspected violation of applicable law.

362 (2) Any of the following shall constitute sufficient cause for the
363 purposes of subdivision (1) of this subsection:

364 (A) Furnishing any false or fraudulent information in an application
365 or any failure to comply with the representations made in an
366 application;

367 (B) A civil judgment against, or conviction of, an owner or applicant,
368 after review and application of the denial criteria set forth in section 46a-
369 80;

370 (C) Any failure to maintain effective controls against diversion, theft
371 or loss of electronic nicotine delivery systems and vapor products;

372 (D) Any denial, suspension or revocation of a license or registration
373 related to the sale of cigarettes, electronic nicotine delivery systems,
374 tobacco products or vapor products, or any denial of a renewal of a
375 license or registration related to the sale of cigarettes, electronic nicotine
376 delivery systems, tobacco products or vapor products, by any federal,
377 state or local government or a foreign jurisdiction;

378 (E) Any false, misleading or deceptive representation made to the
379 public or to the department;

380 (F) Any involvement in a fraudulent or deceitful practice or
381 transaction;

382 (G) The possession, offer or sale of any illegal or controlled substance,
383 unless otherwise permitted by applicable law;

384 (H) Any failure to register a trade name of the business entity with
385 the town in which the registrant engages in business;

386 (I) Any failure to notify the department of any change in the

387 information concerning the business entity, owners, ownership
388 information or designated manager or supervisor;

389 (J) Any adverse administrative decision or delinquency assessment
390 against the registrant by the Department of Revenue Services;

391 (K) Any failure to cooperate, provide unfettered access to the location
392 or provide information to the department, local law enforcement
393 authorities or any other enforcement agency concerning any matter
394 arising out of conduct in connection with a licensee or registrant;

395 (L) Advertising an electronic nicotine delivery system or vapor
396 product in any manner that (i) is designed to appeal to individuals who
397 are younger than twenty-one years of age by, among other things, (I)
398 making use of any spokesperson or celebrity who appeals to individuals
399 who are under the legal age to purchase electronic nicotine delivery
400 systems or vapor products, (II) depicting any individual who is younger
401 than twenty-five years of age using an electronic nicotine delivery
402 system or vapor product, (III) including any object, such as a toy,
403 character or cartoon character, that suggests the presence of an
404 individual who is younger than twenty-one years of age, or (IV) making
405 use of any other depiction or method that is designed in any manner to
406 be appealing to an individual who is younger than twenty-one years of
407 age, or (ii) claims or implies that (I) any electronic nicotine delivery
408 system or vapor product has any curative or therapeutic effect, or (II)
409 any medical claim is true;

410 (M) Allowing an employee to promote any electronic nicotine
411 delivery system or vapor product for a wellness purpose; or

412 (N) Any failure to comply with any provision of this chapter or any
413 regulation adopted pursuant to this chapter.

414 (h) Upon refusal to issue or renew a dealer registration, the
415 Commissioner of Consumer Protection shall notify the applicant of the
416 denial and of the applicant's right to request a hearing not later than ten

417 days after the applicant receives the notice of denial. If the applicant
418 requests a hearing within such ten-day period, the commissioner shall
419 give notice of the grounds for the commissioner's refusal and shall
420 conduct a hearing concerning such refusal in accordance with the
421 provisions of chapter 54 concerning contested cases. If the
422 commissioner's denial is sustained after such hearing, the applicant
423 shall not apply for a new dealer registration for a period of one year after
424 the date on which such denial was sustained.

425 (i) No person whose dealer registration has been revoked, including
426 the owners of such registrant, shall apply for a dealer registration under
427 this section for a period of one year after the date of such revocation.

428 (j) The voluntary surrender of a dealer registration, or the failure to
429 renew a dealer registration, shall not prevent the Commissioner of
430 Consumer Protection from suspending or revoking such dealer
431 registration or imposing other penalties permitted by applicable law.

432 (k) All fees, settlement amounts and fines collected under this section
433 shall be deposited in the consumer protection enforcement account
434 established in section 21a-8a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	12-287
Sec. 2	<i>October 1, 2026</i>	21a-415

Statement of Purpose:

To provide that (1) the Department of Revenue Services shall not issue a cigarette dealer's license, or renew any such license, for certain applicants who exceed certain limitations concerning annual gross sales and the use of retail sales area, and (2) the Department of Consumer Protection shall not issue an electronic nicotine delivery system certificate of dealer registration, or renew any such registration, for certain applicants who (A) exceed certain limitations concerning annual gross revenue and the use of retail sales area, or (B) are located in a town

that already includes one dealer for every two thousand five hundred residents.

[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.]