



General Assembly

February Session, 2026

***Raised Bill No. 5539***

LCO No. 2960



Referred to Committee on FINANCE, REVENUE AND BONDING

Introduced by:  
(FIN)

***AN ACT CONCERNING CIGARETTE AND TOBACCO PRODUCTS DISTRIBUTOR AND DEALER LICENSES AND PENALTIES FOR ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS VIOLATIONS.***

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

1 Section 1. Section 12-286 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2026*):

3 (a) (1) The commissioner shall, after May 25, 1994, require for an  
4 initial application for a distributor's license, in addition to such other  
5 information deemed to be necessary, the filing of three affidavits from  
6 three recognized manufacturers of cigarettes stating such  
7 manufacturers' intent to supply the distributor if the applicant is  
8 granted a license. A chain store shall be exempt from filing such  
9 affidavits. Any pending application on May 25, 1994, and any person  
10 purchasing the business of a licensed distributor shall be exempt from  
11 filing such affidavits. For purposes of this subsection, "chain store"  
12 means the operator or franchisor of five or more retail establishments.

13 (2) The commissioner may make public a list of recognized  
14 manufacturers of cigarettes.

15 (b) (1) A separate license shall be required for each class of business  
16 if the applicant is engaged in business both as a distributor and dealer.  
17 The commissioner shall prescribe the form of the application for a  
18 distributor's license and for a dealer's license and for the renewal of such  
19 licenses. Such applications shall include, at a minimum:

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

21 (B) The location that is to be or is operated under such distributor's  
22 license or dealer's license;

23 (C) The name of, and contact information for, each individual who  
24 has a direct or indirect financial interest in such applicant, unless (i) such  
25 applicant is a publicly traded company listed on a national stock  
26 exchange, or (ii) the financial interest held by such individual owner and  
27 such individual's spouse, parents and children, in the aggregate, does  
28 not exceed five per cent of the total ownership or interest rights in such  
29 applicant;

30 (D) A criminal background check for each owner listed in such  
31 application, conducted in accordance with the provisions of section 21a-  
32 421c;

33 (E) The name of the individual who shall serve as the fiduciary agent  
34 and guarantor for such applicant, which individual shall be personally  
35 liable in the event of any noncompliance that results in a debt owed to  
36 the Department of Revenue Services;

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

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

44       (H) A certification that all cigarettes and tobacco products offered for  
45 sale by the applicant comply with federal and state law, including the  
46 federal Food, Drug and Cosmetic Act, 21 USC 387 et seq., as amended  
47 from time to time.

48       (2) Each license so issued shall be conspicuously displayed on the  
49 premises covered by the license.

50       (c) The commissioner shall make regulations not inconsistent with  
51 the law for the licensing of vending machines.

52       (d) The commissioner may, in the commissioner's discretion, refuse  
53 to issue a license if there is reasonable ground to believe (1) that the  
54 applicant has wilfully made any false statement of substance with  
55 respect to such application for license, (2) that the applicant has  
56 neglected to pay any taxes due to this state, or (3) that the applicant has  
57 been convicted of violating any of the cigarette or other tobacco  
58 products tax laws of this or any other state or the cigarette tax laws of  
59 the United States or has such a criminal record that the commissioner  
60 reasonably believes that such applicant is not a suitable person to be  
61 issued a license, provided no refusal shall be rendered under this  
62 subdivision except in accordance with the provisions of sections 46a-80  
63 and 46a-81.

64       (e) (1) Any person who knowingly sells, offers for sale or possesses  
65 with intent to sell any cigarettes, without a license as provided in this  
66 chapter, shall be fined not more than one thousand dollars or  
67 imprisoned for not more than six months, or both, for each offense. Each  
68 day of such unauthorized operation may be deemed a separate offense.  
69 The provisions of this subdivision shall not apply to any person whose  
70 dealer's license has expired, provided the period of operation without  
71 such license is not more than ninety days after the date of expiration.

72 (2) Any person who knowingly sells at retail, offers for sale at retail  
73 or possesses with intent to sell at retail any taxed tobacco products, as  
74 defined in section 12-330a, without a dealer's license as provided in this  
75 chapter, shall be fined not more than one thousand dollars or  
76 imprisoned for not more than six months, or both, for each offense. Each  
77 day of such unauthorized operation may be deemed a separate offense.  
78 The provisions of this subdivision shall not apply to any person whose  
79 dealer's license has expired, provided the period of operation without  
80 such license is not more than ninety days from the date of expiration.

81 (3) Any person whose dealer's license has expired and who  
82 knowingly sells at retail, offers for sale at retail or possesses with intent  
83 to sell at retail any cigarettes or taxed tobacco products, as defined in  
84 section 12-330a, where such person's period of operation without such  
85 license is not more than ninety days from the date of expiration of such  
86 license, shall be fined three hundred fifty dollars.

87 (f) Any cigarettes or tobacco products sold, offered for sale or  
88 marketed in violation of this section shall be deemed a common  
89 nuisance and shall be subject to immediate seizure by the state or local  
90 police. The authorized officer shall hold such cigarettes or tobacco  
91 product subject to confiscation and destruction by order of a court of  
92 competent jurisdiction. All costs of such seizure, confiscation and  
93 destruction shall be borne by the person selling, offering for sale or  
94 marketing such cigarettes or tobacco products.

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

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

102 (a) As used in this chapter:

103 (1) "Authorized owner" means the owner or authorized designee of a  
104 business entity that is applying for a registration or is registered with  
105 the Department of Consumer Protection pursuant to this chapter;

106 (2) "Business entity" means any corporation, limited liability  
107 company, association, partnership, sole proprietorship, government,  
108 governmental subdivision or agency, business trust, estate, trust or any  
109 other legal entity;

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

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

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

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

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

125 (8) "Electronic nicotine delivery system" means an electronic device  
126 used in the delivery of nicotine or other substances to an individual  
127 inhaling from the device, and includes, but is not limited to, an  
128 electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe  
129 or electronic hookah and any related device and any cartridge or other  
130 component of such device, including, but not limited to, electronic  
131 cigarette liquid;

132 (9) "Manufacturer registration" means an electronic nicotine delivery  
133 system certificate of manufacturer registration issued by the  
134 Commissioner of Consumer Protection pursuant to section 21a-415a to  
135 any person who mixes, compounds, repackages or resizes any nicotine-  
136 containing electronic nicotine delivery system or vapor product;

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

141 (11) "Tobacco products" has the same meaning as provided in section  
142 12-330a; and

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

157 (b) (1) No person in this state may sell or possess with intent to sell  
158 an electronic nicotine delivery system or a vapor product unless such  
159 person is employed by, an agent of or directly affiliated with a business  
160 entity that maintains a dealer registration issued by the Commissioner  
161 of Consumer Protection pursuant to this section. A separate dealer  
162 registration shall be required for each place of business where such

163 system or product is sold, offered for sale or possessed with the intent  
164 to sell. A dealer registration shall allow the sale of electronic nicotine  
165 delivery systems or vapor products at such place of business. A holder  
166 of a dealer registration shall post such registration in a prominent  
167 location adjacent to electronic nicotine delivery system products or  
168 vapor products offered for sale.

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

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

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

195 electronic format, unless it is commercially impractical to produce such  
196 records to the department in an electronic format. No person shall use  
197 any foreign language, code or symbol in maintaining the records  
198 required under this section.

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

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

204 (B) The location that is to be or is operated under such dealer  
205 registration;

206 (C) The name of, and contact information for, each individual who  
207 has a direct or indirect financial interest in such applicant, unless (i) such  
208 applicant is a publicly traded company listed on a national stock  
209 exchange, or (ii) the financial interest held by such individual owner and  
210 such individual's spouse, parents and children, in the aggregate, does  
211 not exceed [ten] five per cent of the total ownership or interest rights in  
212 such applicant;

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

224 (E) The name of the individual who shall serve as the fiduciary agent

225 and guarantor for such applicant, which individual shall be personally  
226 liable in the event of any noncompliance that results in a debt owed to  
227 the department;

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

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

235 (H) A certification that (i) an authorized owner or named designee of  
236 such applicant has successfully completed the online prevention  
237 education program administered by the Department of Mental Health  
238 and Addiction Services pursuant to section 17a-719, and (ii) all  
239 electronic nicotine delivery systems and vapor products offered for sale  
240 by the applicant comply with federal and state law, including the federal  
241 Food, Drug and Cosmetic Act, 21 USC 387 et seq., as amended from time  
242 to time.

243 (2) The Department of Consumer Protection: (A) May require that an  
244 applicant submit documents sufficient to establish that state and local  
245 building, fire and zoning requirements will be met at the location of any  
246 sale; (B) may, in the department's discretion, conduct an investigation to  
247 determine whether a dealer registration shall be issued to an applicant;  
248 and (C) shall not issue a dealer registration or a renewal of a dealer  
249 registration to an applicant unless the applicant certifies that an  
250 authorized owner or named designee of the applicant has successfully  
251 completed the online prevention education program administered by  
252 the Department of Mental Health and Addiction Services pursuant to  
253 section 17a-719.

254 (3) The commissioner shall issue a dealer registration to any such  
255 applicant not later than thirty days after the date of application unless

256 the commissioner finds: (A) The applicant has made a materially false  
257 or misleading statement in such application or in any other application  
258 made to the commissioner; (B) the applicant has neglected to pay any  
259 taxes due to this state; (C) the authorized owner or named designee of  
260 the applicant has not successfully completed the online prevention  
261 education program administered by the Department of Mental Health  
262 and Addiction Services pursuant to section 17a-719; (D) the applicant  
263 has a criminal history that is a sufficient basis for denial under section  
264 46a-80; or (E) the applicant has violated any other provision of this  
265 section.

266 (4) A dealer registration issued under this section shall be renewed  
267 annually and may be suspended or revoked at the discretion of the  
268 Department of Consumer Protection. A dealer registration shall not  
269 constitute property, nor shall it be subject to attachment and execution,  
270 nor shall it be alienable. Each holder of a dealer registration shall  
271 annually attest in each renewal application as to whether such holder  
272 derived at least fifty per cent of its annual gross revenue from sales of  
273 cigarettes, drug paraphernalia, electronic nicotine delivery systems,  
274 nicotine products, synthetic nicotine, tobacco products and vapor  
275 products.

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

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

282 (e) (1) The Department of Consumer Protection may renew a dealer  
283 registration issued under this section that has expired if the applicant  
284 pays to the department any late fee imposed by the Commissioner of  
285 Consumer Protection pursuant to subsection (d) of section 21a-4, which  
286 late fee shall be in addition to the fees prescribed in this section for the

287 dealer registration applied for.

288 (2) A person holding a dealer registration shall update, through the  
289 Department of Consumer Protection's online licensing system, any  
290 application information such person has provided to the department  
291 pursuant to this section, including, but not limited to, any contact  
292 information, ownership information or criminal histories of the  
293 individual owners of the business entity, not later than thirty days after  
294 any change in such information.

295 (f) (1) Any business entity in the state that sells, offers for sale or  
296 possesses with intent to sell an electronic nicotine delivery system or  
297 vapor product without a dealer registration as required under this  
298 section shall, after a hearing conducted pursuant to chapter 54, be fined  
299 not more than five thousand dollars per violation.

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

307 [(3) A person holding a dealer registration shall update, through the  
308 Department of Consumer Protection's online licensing system, any  
309 application information such person has provided to the department  
310 pursuant to this section, including, but not limited to, any contact  
311 information, ownership information or criminal histories of the  
312 individual owners of the business entity, not later than thirty days after  
313 any change in such information.]

314 (g) (1) For sufficient cause found as set forth in subdivision (2) of this  
315 subsection, the Commissioner of Consumer Protection may suspend or  
316 revoke a dealer registration, issue fines of not more than ten thousand  
317 dollars per violation, accept an offer in compromise or refuse to grant or

318 renew a dealer registration, or place the registrant on probation, place  
319 conditions on such registrant or take other actions authorized by law.  
320 No information derived from an inspection or investigation conducted  
321 by the Department of Consumer Protection related to an administrative  
322 complaint or case shall be subject to disclosure under the Freedom of  
323 Information Act, as defined in section 1-200, unless the department has  
324 entered into a settlement agreement, or otherwise concluded its  
325 investigation or inspection as evidenced by case closure. Nothing in this  
326 subdivision shall be construed to prevent the department from sharing  
327 any information with another state or federal agency or law  
328 enforcement insofar as such information relates to an investigation of  
329 any suspected violation of applicable law.

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

332 (A) Furnishing any false or fraudulent information in an application  
333 or any failure to comply with the representations made in an  
334 application;

335 (B) A civil judgment against, or conviction of, an owner or applicant,  
336 after review and application of the denial criteria set forth in section 46a-  
337 80;

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

340 (D) Any denial, suspension or revocation of a license or registration  
341 related to the sale of cigarettes, electronic nicotine delivery systems,  
342 tobacco products or vapor products, or any denial of a renewal of a  
343 license or registration related to the sale of cigarettes, electronic nicotine  
344 delivery systems, tobacco products or vapor products, by any federal,  
345 state or local government or a foreign jurisdiction;

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

348 (F) Any involvement in a fraudulent or deceitful practice or  
349 transaction;

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

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

354 (I) Any failure to notify the department of any change in the  
355 information concerning the business entity, owners, ownership  
356 information or designated manager or supervisor;

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

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

363 (L) Advertising an electronic nicotine delivery system or vapor  
364 product in any manner that (i) is designed to appeal to individuals who  
365 are younger than twenty-one years of age by, among other things, (I)  
366 making use of any spokesperson or celebrity who appeals to individuals  
367 who are under the legal age to purchase electronic nicotine delivery  
368 systems or vapor products, (II) depicting any individual who is younger  
369 than twenty-five years of age using an electronic nicotine delivery  
370 system or vapor product, (III) including any object, such as a toy,  
371 character or cartoon character, that suggests the presence of an  
372 individual who is younger than twenty-one years of age, or (IV) making  
373 use of any other depiction or method that is designed in any manner to  
374 be appealing to an individual who is younger than twenty-one years of  
375 age, or (ii) claims or implies that (I) any electronic nicotine delivery  
376 system or vapor product has any curative or therapeutic effect, or (II)  
377 any medical claim is true;

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

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

382 (h) (1) Upon refusal to issue or renew a dealer registration, the  
383 Commissioner of Consumer Protection shall notify the applicant of the  
384 denial and of the applicant's right to request a hearing not later than ten  
385 days after the applicant receives the notice of denial. If the applicant  
386 requests a hearing within such ten-day period, the commissioner shall  
387 give notice of the grounds for the commissioner's refusal and shall  
388 conduct a hearing concerning such refusal in accordance with the  
389 provisions of chapter 54 concerning contested cases. If the  
390 commissioner's denial is sustained after such hearing, the applicant  
391 shall not apply for a new dealer registration for a period of one year after  
392 the date on which such denial was sustained.

393 [(i)] (2) No person whose dealer registration has been revoked,  
394 including the owners of such registrant, shall apply for a dealer  
395 registration under this section for a period of one year after the date of  
396 such revocation.

397 [(j)] (3) The voluntary surrender of a dealer registration, or the failure  
398 to renew a dealer registration, shall not prevent the Commissioner of  
399 Consumer Protection from suspending or revoking such dealer  
400 registration or imposing other penalties permitted by applicable law.

401 (i) The Commissioner of Consumer Protection may impose a civil  
402 penalty of not more than ten thousand dollars for each electronic  
403 nicotine delivery system and vapor product sold, offered for sale or  
404 marketed in violation of this section. For purposes of this subdivision,  
405 each such electronic nicotine delivery system or vapor product shall  
406 constitute a separate violation. The Attorney General, upon request of  
407 the commissioner, may bring an action in the superior court for the  
408 judicial district of Hartford to collect such civil penalty and for any

409 injunctive or equitable relief. In any action brought by the Attorney  
410 General to enforce the provisions of this section, the state shall be  
411 entitled to recover, when the state is the prevailing party, the costs of  
412 investigation, expert witness fees, costs of the action and reasonable  
413 attorneys' fees.

414 (j) Any electronic nicotine delivery system or vapor product sold,  
415 offered for sale or marketed in violation of this section shall be deemed  
416 a common nuisance and shall be subject to immediate seizure by the  
417 state or local police. The authorized officer shall hold such electronic  
418 nicotine delivery system or vapor product subject to confiscation and  
419 destruction by order of a court of competent jurisdiction. All costs of  
420 such seizure, confiscation and destruction shall be borne by the person  
421 selling, offering for sale or marketing such electronic nicotine delivery  
422 system or vapor product.

423 (k) A violation of this section shall be an unfair trade practice  
424 pursuant to subsection (a) of section 42-110b.

425 [(k)] (l) All fees, settlement amounts and fines collected under this  
426 section shall be deposited in the consumer protection enforcement  
427 account 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>	12-286
Sec. 2	<i>October 1, 2026</i>	21a-415

**Statement of Purpose:**

To (1) require applicants for cigarette and tobacco products distributor and dealer licenses and renewals to provide certain information with such applications, and (2) establish additional penalties for violations of state law regarding the sale, offer for sale or marketing 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.]*