



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 106 (Substitute S-1 as reported)
Senate Bill 155 (Substitute S-1 as reported)
Sponsor: Senator Rick Outman (S.B. 106)
 Senator Marshall Bullock II (S.B. 155)
Committee: Regulatory Reform

CONTENT

Senate Bill 106 (S-1) would amend the Youth Tobacco Act to do the following:

- Prohibit a person from selling or giving a vapor product or alternative nicotine product to a minor.
- Increase the monetary penalty for selling, giving, or furnishing a tobacco, vapor, or alternative nicotine product to a minor.
- Require signs posted by retailers to indicate that the purchase of vapor or alternative nicotine products by minors was illegal.
- Require a person to verify that an individual was at least 18 before selling or furnishing a tobacco, vapor, or alternative nicotine product to him or her.
- Extend the affirmative defense of having and enforcing a preventative written policy to a charge of selling a vapor or alternative nicotine product to a minor.
- Prohibit a minor from possessing or using a vapor product or alternative nicotine product.

Senate Bill 155 (S-1) would amend the Youth Tobacco Act to do the following:

- Prohibit a person from selling a liquid nicotine container in Michigan unless it met Federal child-resistant effectiveness standards.
- Prohibit a person selling vapor products or alternative nicotine products at retail from displaying for sale in Michigan a vapor product unless it was stored behind a counter in an area only accessible by employees or a locked case.

The bills are tie-barred.

MCL 722.641 et al. (S.B. 106)
Proposed MCL 722.642b & 722.642c (S.B. 155)

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

Senate Bill 106 (S-1) would have no fiscal impact on the State and could have a small negative fiscal impact on local government. A violation of the bill would be a civil infraction for the first two violations and a misdemeanor on the third or subsequent violation, each of which would be subject to a \$50 maximum fine. Any increase in misdemeanor arrests and convictions could increase resource demands on law enforcement, court systems, and community supervision. Any associated increase in fine revenue would increase funding to public libraries.

Senate Bill 155 (S-1) would have no fiscal impact on the State and could have a small negative fiscal impact on local government. A violation of the bill for selling liquid nicotine containers

that were not child resistant would be a misdemeanor subject to a \$50 maximum fine. Additionally, a violation of the bill for selling vapor products that were not stored behind a locked case would be a State civil infraction subject to a \$500 maximum fine. Any increase in misdemeanor arrests and convictions could increase resource demands on law enforcement, court systems, and community supervision. Any associated increase in fine revenue would increase funding to public libraries.

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