

SENATE BILL NO. 155

February 28, 2019, Introduced by Senators BULLOCK, OUTMAN, WOJNO, JOHNSON, MCMORROW, LUCIDO, POLEHANKI, HERTEL, BAYER, MOSS, BRINKS, ZORN, MCBROOM, BIZON and HOLLIER and referred to the Committee on Regulatory Reform.

A bill to amend 1915 PA 31, entitled
"Youth tobacco act,"
(MCL 722.641 to 722.645) by adding sections 2b and 2c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 2b. (1) A person shall not sell in this state a liquid**
2 **nicotine container unless the liquid nicotine container meets the**
3 **child-resistant effectiveness standards of 16 CFR 1700.15(b) .**

4 **(2) A person who violates subsection (1) is guilty of a**

1 misdemeanor punishable by a fine of not more than \$50.00 for each
2 violation.

3 (3) As used in this section:

4 (a) "Liquid nicotine" means a liquid or other substance
5 containing nicotine in any concentration that is sold, marketed, or
6 intended for use in a vapor product.

7 (b) "Liquid nicotine container" means a bottle or other
8 container holding liquid nicotine in any concentration but does not
9 include a cartridge containing liquid nicotine if the cartridge is
10 prefilled and sealed by the manufacturer of the cartridge and is
11 not intended to be opened by the consumer.

12 Sec. 2c. A person who sells vapor products or alternative
13 nicotine products at retail shall not display for sale in this
14 state a vapor product unless the vapor product is stored for sale
15 behind a counter in an area accessible only to employees or within
16 a locked case so that a customer wanting access to the vapor
17 product must ask an employee for assistance. A person who violates
18 this section is responsible for a state civil infraction and shall
19 be fined not more than \$500.00.

20 Enacting section 1. This amendatory act takes effect 90 days
21 after the date it is enacted into law.

22 Enacting section 2. This amendatory act does not take effect
23 unless Senate Bill No. 106 of the 100th Legislature is enacted into
24 law.