

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

A Bill

SENATE BILL 447

4
5 By: Senator Teague

For An Act To Be Entitled

8 AN ACT TO AMEND THE DEFINITIONS OF SMOKING AND
9 TOBACCO TO TREAT E-CIGARETTES SIMILARLY TO OTHER
10 TOBACCO PRODUCTS; AND FOR OTHER PURPOSES.

Subtitle

14 TO AMEND THE DEFINITIONS OF SMOKING AND
15 TOBACCO TO TREAT E-CIGARETTES SIMILARLY
16 TO OTHER TOBACCO PRODUCTS.

17
18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code § 20-27-705(3), concerning public smoking in
22 medical facilities, is amended to read as follows:

23 (3) "Tobacco" means ~~eigars, cigarettes, pipes, or other tobacco-~~
24 ~~smoking devices;~~

25 (A) A cigar;

26 (B) A cigarette;

27 (C) A pipe;

28 (D) An e-cigarette or electronic oral device that provides
29 a vapor of nicotine or another substance that, when used or inhaled,
30 simulates smoking, including without limitation a device that:

31 (i) Is composed of a heating element, battery,
32 electronic circuit, or a combination of heating element, battery, AND
33 electronic circuit;

34 (ii) Works in combination with a liquid nicotine
35 delivery device composed, in whole or in part, of pure nicotine and
36 manufactured for use with e-cigarettes; and



1 (iii) Is manufactured, distributed, marketed, or
 2 sold as an e-cigarette, e-cigar, or e-pipe or under any other product name or
 3 descriptor; or

4 (E) Other tobacco-smoking device.

5
 6 SECTION 2. Arkansas Code § 20-27-1803(16), concerning the definition
 7 of smoking within the Arkansas Clean Indoor Air Act of 2006, is amended to
 8 read as follows:

9 (16) “Smoking” means inhaling, exhaling, burning, or carrying
 10 any:

11 (A) Lighted tobacco product, including cigarettes, cigars,
 12 and pipe tobacco; ~~and~~

13 (B) Other lighted combustible plant material; and

14 (C) E-cigarette or electronic oral device that provides a
 15 vapor of nicotine or another substance that, when used or inhaled, simulates
 16 smoking, including without limitation a device that:

17 (i) Is composed of a heating element, battery,
 18 electronic circuit, or a combination of heating element, battery, and
 19 electronic circuit;

20 (ii) Works in combination with a liquid nicotine
 21 delivery device composed, in whole or in part, of pure nicotine and
 22 manufactured for use with e-cigarettes; and

23 (iii) Is manufactured, distributed, marketed, or
 24 sold as an e-cigarette, e-cigar, or e-pipe or under any other product name or
 25 descriptor; and

26
 27 SECTION 3. Arkansas Code § 20-27-1902, concerning the Arkansas
 28 Protection from Secondhand Smoke for Children Act of 2006, is amended to read
 29 as follows:

30 20-27-1902. ~~Definition~~ Definitions.

31 As used in this subchapter, ~~;~~

32 (1) “~~motor~~ Motor vehicle” means any motor vehicle, except a
 33 school bus, a church bus, or other public conveyance, that is required by
 34 federal or state law or regulation to be equipped with a passenger restraint
 35 system; and

36 (2) “Smoking” means inhaling, exhaling, burning, or carrying

1 any:

2 (A) Lighted tobacco product, including cigarettes, cigars,
3 and pipe tobacco;

4 (B) Other lighted combustible plant material; and

5 (C) E-cigarette or electronic oral device that provides a
6 vapor of nicotine or another substance that, when used or inhaled, simulates
7 smoking, including without limitation a device that:

8 (i) Is composed of a heating element, battery,
9 electronic circuit, or a combination of heating element, battery, and
10 electronic circuit;

11 (ii) Works in combination with a liquid nicotine
12 delivery device composed, in whole or in part, of pure nicotine and
13 manufactured for use with e-cigarettes; and

14 (iii) Is manufactured, distributed, marketed, or
15 sold as an e-cigarette, e-cigar, or e-pipe or under any other product name or
16 descriptor.

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36