

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 24-1356

BY REPRESENTATIVE(S) Herod, Amabile, Bacon, Boesenecker, Brown, English, Jodeh, Kipp, Lindsay, Lindstedt, Willford;
also SENATOR(S) Mullica, Buckner, Cutter, Michaelson Jenet, Priola.

CONCERNING PROHIBITING THE SALE OF ELECTRONIC SMOKING DEVICES TO MINORS, AND, IN CONNECTION THEREWITH, ESTABLISHING THE SALE OF ELECTRONIC SMOKING DEVICES TO MINORS AS A DECEPTIVE TRADE PRACTICE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 6-1-102, **amend** (10) as follows:

6-1-102. Definitions. As used in this article 1, unless the context otherwise requires:

(10) "Sale" means any sale, offer for sale, or attempt to sell any ~~real or personal~~ PRODUCT, GOOD, OR property for any consideration.

SECTION 2. In Colorado Revised Statutes, 6-1-105, **amend** (1)(cccc) and (4) as follows:

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

6-1-105. Unfair or deceptive trade practices - definitions. (1) A person engages in a deceptive trade practice when, in the course of the person's business, vocation, or occupation, the person:

(cccc) Sells or offers for sale a product OR ELECTRONIC SMOKING DEVICE that is age-restricted to a person who does not meet the age restriction; or

(4) ~~For purposes of~~ AS USED IN this section, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ELECTRONIC SMOKING DEVICE" HAS THE MEANING SET FORTH IN SECTION 25-14-203 (4.5).

(b) "Recklessly" means a reckless disregard for the truth or falsity of a statement or advertisement.

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO