



General Assembly

February Session, 2020

***Raised Bill No. 244***

LCO No. 1630



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT PROHIBITING THE SALE OF CIGARETTES, TOBACCO PRODUCTS, ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS BY HEALTH CARE FACILITIES AND PHARMACIES.***

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

- 1 Section 1. (NEW) (*Effective July 1, 2020*) (a) As used in this section:
- 2 (1) "Health care facility" means any institution licensed under chapter  
3 368v of the general statutes;
- 4 (2) "Pharmacy" has the same meaning as provided in section 20-571  
5 of the general statutes;
- 6 (3) "Sell" means an act done intentionally by any person, whether  
7 done as principal, proprietor, agent, servant or employee, of  
8 transferring, offering or attempting to transfer, for consideration,  
9 including bartering or exchanging, or offering to barter and exchange;
- 10 (4) "Cigarette" means and includes any roll for smoking made wholly  
11 or in part of tobacco, irrespective of size or shape, and irrespective of  
12 whether the tobacco is flavored, adulterated or mixed with any other

13 ingredient, where such roll has a wrapper or cover made of paper or any  
14 other material, except where such wrapper is wholly or in the greater  
15 part made of tobacco and such roll weighs over three pounds per  
16 thousand, provided, if any roll for smoking has a wrapper made of  
17 homogenized tobacco or natural leaf tobacco, and the roll is a cigarette  
18 size so that it weighs three pounds or less per thousand, such roll is a  
19 cigarette and subject to the tax imposed by this part and part II of this  
20 chapter; and

21 (5) "Tobacco product" means any product, regardless of form, that is  
22 made from or otherwise contains tobacco, but shall not include any  
23 cigarette, as defined in section 12-285, any electronic nicotine delivery  
24 system, as defined in section 21a-415, or any vapor product, as defined  
25 in section 21a-415.

26 (b) On and after January 1, 2021, no health care facility or pharmacy  
27 may sell cigarettes or tobacco products in this state. Any license to sell  
28 cigarettes or tobacco products issued under chapter 214 of the general  
29 statutes to a health care facility or pharmacy prior to January 1, 2021,  
30 shall be void and invalid on and after said date.

31 Sec. 2. (NEW) (*Effective July 1, 2020*) (a) As used in this section:

32 (1) "Health care facility" means any institution licensed under chapter  
33 368v of the general statutes;

34 (2) "Pharmacy" has the same meaning as provided in section 20-571  
35 of the general statutes;

36 (3) "Sell" means an act done intentionally by any person, whether  
37 done as principal, proprietor, agent, servant or employee, of  
38 transferring, offering or attempting to transfer, for consideration,  
39 including bartering or exchanging, or offering to barter and exchange;

40 (4) "Electronic nicotine delivery system" means an electronic device  
41 used in the delivery of nicotine or other substances to a person inhaling  
42 from the device, and includes, but is not limited to, an electronic

43 cigarette, electronic cigar, electronic cigarillo, electronic pipe or  
44 electronic hookah and any related device and any cartridge or other  
45 component of such device, including, but not limited to, electronic  
46 cigarette liquid; and

47 (5) "Vapor product" means any product that employs a heating  
48 element, power source, electronic circuit or other electronic, chemical or  
49 mechanical means, regardless of shape or size, to produce a vapor that  
50 may include nicotine and is inhaled by the user of such product. "Vapor  
51 product" does not include a medicinal or therapeutic product that is (A)  
52 used by a licensed health care provider to treat a patient in a health care  
53 setting, (B) used by a patient, as prescribed or directed by a licensed  
54 health care provider in any setting, or (C) any drug or device, as defined  
55 in the federal Food, Drug and Cosmetic Act, 21 USC 321, as amended  
56 from time to time, any combination product, as described in said act, 21  
57 USC 353(g), as amended from time to time, or any biological product, as  
58 described in 42 USC 262, as amended from time to time, and 21 CFR  
59 600.3, as amended from time to time, authorized for sale by the United  
60 States Food and Drug Administration.

61 (b) On and after January 1, 2021, no health care facility or pharmacy  
62 may sell electronic nicotine delivery systems or vapor products in this  
63 state. Any license to sell electronic nicotine delivery systems or vapor  
64 products issued under chapter 420g of the general statutes to a health  
65 care facility or pharmacy prior to January 1, 2021, shall be void on and  
66 after said date.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2020</i>	New section
Sec. 2	<i>July 1, 2020</i>	New section

**Statement of Purpose:**

To prohibit any health care facility or pharmacy from selling cigarettes, tobacco products, 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.]*