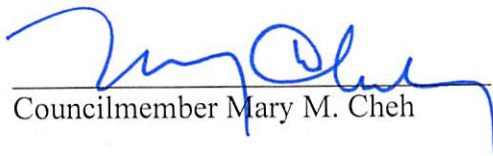
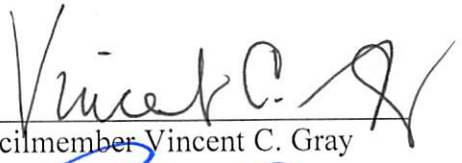


1   
2 Councilmember Mary M. Cheh

  
Councilmember Vincent C. Gray

3  
4   
5 Councilmember Anita Bonds

6   
7 Councilmember Charles Allen

8  
9  
10 A BILL

11  
12 \_\_\_\_\_  
13  
14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
15 \_\_\_\_\_  
16

17 To prohibit the sale of any electronic smoking device or liquids used in electronic smoking devices,  
18 unless the sale occurs at a licensed pharmacy to a person who has a prescription.

19  
20 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
21 act may be cited as the "Prohibition of Electronic Smoking Sales Without a Prescription Act of  
22 2019."

23 Sec. 2. An act to prohibit the sale of tobacco to minors under sixteen years of age in the  
24 District of Columbia, effective July 23, 2010 (D.C. Law 18-189; D.C. Official Code § 7-1721.01  
25 *et seq.*), is amended as follows:

26 (a) Section 2 (D.C. Official Code § 7-1721.01) is amended as follows:

27 (1) Paragraph (1) is redesignated as paragraph (1B).

28 (2) New paragraphs (1) and (1A) are added to read as follows:

29 “(1) “Electronic smoking device” means any electronic oral device, such as one  
30 composed of a heating element and battery or electronic circuit, or both, which provides a vapor  
31 of nicotine or any other substances, and the use or inhalation of which simulates smoking. The  
32 term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-  
33 cigarette, e-cigar, and e-pipe or under any other product, name or descriptor.

34 “(1A) “Liquid” means the fluid that is used inside electronic cigarettes.”.

35 (b) Section 7 (D.C. Official Code § 7-1721.06) is amended as follows:

36 (1) Subsection (d) is amended by striking the phrase “subsection (a)” and  
37 inserting the phrase “subsections (a) and (e)” in its place.

38 (2) A new subsection (e) is added to read as follows:

39 “(e) No person shall sell any electronic smoking device or liquids used in electronic  
40 smoking devices, unless the sale occurs:

41 “(1) At a pharmacy licensed pursuant to D.C. Official Code § 47-2885.08 to a  
42 person who has a prescription to use an electronic smoking device as:

43 “(A) A means of smoking cessation; or

44 “(B) An alternative to smoking tobacco or using other tobacco products”;

45 or

46 “(2) At a medical marijuana dispensary, as part of the District’s medical  
47 marijuana program.

48 Sec. 3. Fiscal impact statement.

49 The Council adopts the fiscal impact statement in the committee report as the fiscal impact  
50 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
51 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

52 Sec. 4. Effective date.

53 This act shall take effect following approval by the Mayor (or in the event of veto by the  
54 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
55 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,

56 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
57 Columbia Register.