

HOUSE BILL 789

By Cooper

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 7; Title 8; Title 9; Title 39; Title 47; Title 49;  
Title 63 and Title 68, relative to vapor products.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Junior high school" means a school in which any combination of grades corresponding to grade seven through grade ten (7-10) are taught; however, the school must include grade nine (9);

(2) "Middle school" means a school designed to serve grades five through eight (5-8) only, or any combination of grades five through eight (5-8);

(3) "Senior high school" means a school in which any combination of grades corresponding to grade nine through grade twelve (9-12) are taught; however, the school must include grade twelve (12); and

(4) "Vapor product":

(A) Means any noncombustible product containing nicotine or any other substance that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce or emit vapor;

(B) Includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product, and any vapor cartridge or other container of a solution containing nicotine or any other substance

that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product; and

(C) Does not include any product regulated under Chapter V of the Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.).

(b) The department of health shall post on its website information from the centers for disease control and prevention concerning the health effects and dangers of persons using vapor products.

(c) The department of health, in coordination with the department of education, shall disseminate the information described in subsection (b) to students in public middle schools, public junior high schools, and public senior high schools in this state.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.