

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1937**

Chapter 47, Laws of 2013

63rd Legislature  
2013 Regular Session

TOBACCO PRODUCTS--VAPOR PRODUCTS--MINORS

EFFECTIVE DATE: 07/28/13

Passed by the House March 5, 2013  
Yeas 96 Nays 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 11, 2013  
Yeas 46 Nays 1

BRAD OWEN

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**President of the Senate**

Approved April 23, 2013, 4:02 p.m.

JAY INSLEE

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1937** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

April 24, 2013

**Secretary of State  
State of Washington**

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HOUSE BILL 1937

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Passed Legislature - 2013 Regular Session

State of Washington                      63rd Legislature                      2013 Regular Session

By Representatives Ross, Jenkins, Angel, Green, Harris, Cody,  
Morrell, Hope, Ryu, Schmick, and Moscoso

Read first time 02/19/13. Referred to Committee on Government  
Accountability & Oversight.

1            AN ACT Relating to prohibiting a person from selling or giving a  
2 vapor product designed solely for smoking or ingesting tobacco to a  
3 minor; and amending RCW 26.28.080.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 26.28.080 and 1994 sp.s. c 7 s 437 are each amended to  
6 read as follows:

7            (1) Every person who sells or gives, or permits to be sold or  
8 given, to any person under the age of eighteen years any cigar,  
9 cigarette, cigarette paper or wrapper, ((or)) tobacco in any form, or  
10 a vapor product is guilty of a gross misdemeanor.

11            (2) It shall be no defense to a prosecution for a violation of this  
12 section that the person acted, or was believed by the defendant to act,  
13 as agent or representative of another.

14            (3) For the purposes of this section, "vapor product" means a  
15 noncombustible tobacco-derived product containing nicotine that employs  
16 a mechanical heating element, battery, or circuit, regardless of shape  
17 or size, that can be used to heat a liquid nicotine solution contained  
18 in cartridges. Vapor product does not include any product that is

1 regulated by the United States food and drug administration under  
2 chapter V of the federal food, drug, and cosmetic act.

Passed by the House March 5, 2013.

Passed by the Senate April 11, 2013.

Approved by the Governor April 23, 2013.

Filed in Office of Secretary of State April 24, 2013.