AMENDMENTS TO HOUSE BILL 523, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3 of the bill, in line 25, after “TO” insert “A CONSUMER, IF THE CONSUMER PURCHASES OR ORDERS THE SYSTEMS THROUGH THE MAIL, A COMPUTER NETWORK, A TELEPHONIC NETWORK, OR ANOTHER ELECTRONIC NETWORK,”; in line 26, after “DISTRIBUTOR” insert a comma; and in line 27, after “OR” insert “A LICENSED”.

On page 4 of the bill, in line 12, after “STATE” insert “; OR

(III) UNLESS OTHERWISE PROHIBITED OR RESTRICTED UNDER LOCAL LAW, THIS ARTICLE, OR THE CRIMINAL LAW ARTICLE, DISTRIBUTES SAMPLE ELECTRONIC NICOTINE DELIVERY SYSTEMS TO A LICENSED ELECTRONIC NICOTINE DELIVERY SYSTEMS RETAILER OR VAPE SHOP VENDOR”.

On page 5 of the bill, in line 10, before “A” insert “(1)”; in lines 12, 14, 16, and 20, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(I)”, “(II)”, “(III)”, and “(2)”, respectively; in lines 15 and 17, in each instance, after the semicolon insert “OR”; and in line 21, before “ACT” insert “A LICENSE ISSUED BY THE CLERK UNDER § 16.7-203(B) OF THIS TITLE TO:

(I)”.

On page 6 of the bill, in line 2, strike “PROPYLENE” and substitute “PROPYLENE”; and in line 4, strike “CONTAINS” and substitute “MAY OR MAY NOT CONTAIN”.

(Over)
On page 9 of the bill, in line 32, strike “AND”.

On page 10 of the bill, after line 1, insert:

“(IV) A CONSUMER IF:

1. THE LICENSEE MANUFACTURED THE SYSTEMS; AND

2. THE CONSUMER PURCHASES OR ORDERS THE SYSTEMS THROUGH THE MAIL, A COMPUTER NETWORK, A TELEPHONIC NETWORK, OR ANOTHER ELECTRONIC NETWORK; AND”;

in line 14, after “LICENSE” insert “; AND

(3) EXCEPT AS OTHERWISE PROHIBITED OR RESTRICTED UNDER LOCAL LAW, THIS ARTICLE, OR THE CRIMINAL LAW ARTICLE, DISTRIBUTE ELECTRONIC NICOTINE DELIVERY SYSTEMS PRODUCTS TO A LICENSED ELECTRONIC NICOTINE DELIVERY SYSTEMS RETAILER OR VAPE SHOP VENDOR”;

in line 18, after “(B)” insert “(1)”; in lines 20, 22, and 25, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(II)”, “(II)”, and “(III)”, respectively; in line 20, before “SELL” insert “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,”; and before line 29, insert:

“(2) AN ELECTRONIC NICOTINE DELIVERY SYSTEMS RETAILER LICENSE DOES NOT AUTHORIZE THE LICENSEE TO SHIP, SELL, OR CAUSE TO BE SHIPPED TO A CONSUMER WHO PURCHASES OR ORDERS AN ELECTRONIC
NICOTINE DELIVERY SYSTEM THROUGH THE MAIL, A COMPUTER NETWORK, A TELEPHONIC NETWORK, OR ANOTHER ELECTRONIC NETWORK.”.

On page 16 of the bill, in line 1, after “(2)” insert “MONEY PAID IN LIEU OF SUSPENSION OR REVOCATION SHALL BE PAID INTO THE GENERAL FUND OF THE STATE.

(3)”; and in line 3, strike “(3)” and substitute “(4)”.

AMENDMENT NO. 2

On page 1 of the Finance Committee Amendments (HB0523/397275/1), in line 2 of Amendment No. 2, strike “OR”.

On page 2 of the Finance Committee Amendments, in line 10 of Amendment No. 2, strike “(5)” and substitute “(II)”; and in line 12, strike “16.7-203” and substitute “16.7-203(A)”.

On page 4 of the Finance Committee Amendments, in line 9 of Amendment No. 3, strike “(4)” and substitute “(IV)”.

On page 5 of the Finance Committee Amendments, in line 14 of Amendment No. 4, strike “(4)” and substitute “(5)”.