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SB 842- Other Tobacco Products and Electronic Smoking Devices - Seizure and Wholesaler Licensure Requirements

Position: Support

Chair Wilson and Members of the Committee,

Thank you for the opportunity to provide comments on SB 842, a bill that will continue this committee's strong record of protecting children from the dangers of tobacco. This legislation seeks to close a loophole in our tobacco enforcement laws, and by doing so, strengthen the Alcohol, Tobacco and Cannabis Commission's (ATCC) enforcement powers for electronic smoking devices, also known as e-cigarettes or vapes.

As the one of leading advocacy organization working to reduce tobacco use and its deadly consequences in the United States, the Campaign for Tobacco Free Kids urges a favorable vote.

The problem of youth access to tobacco products, particularly electronic smoking devices, remains significant. The tobacco industry persistently targets children, and so, we too must remain persistent and protect our children from these harmful products. This industry also specifically and relentlessly targets Black Americans, Latino communities, our LGBTQ communities.

SB 842, with sponsor amendments that clarify intent, will help the State of Maryland do exactly that – protect kids from a lifetime of nicotine addiction and tobacco use.

The ATCC is currently able to seize tobacco products like cigarettes while carrying out its enforcement authority. Notably absent from any seizure authority is authorizing language that allows it to seize electronic smoking devices for any violations. This bill would close this loophole and grant the ATCC this seizure power.

A similar loophole exists in the record keeping requirements for electronic smoking devices. Though other tobacco products are subject to record keeping requirements that include key information, electronic smoking devices are not subject to these same record keeping requirements. SB 842 would bring electronic smoking devices under the same record keeping requirements that currently apply to other tobacco products.

This legislation will help ensure the same strategies and enforcement that protect Maryland's youth from cigarettes are also available to the ATCC for electronic smoking devices, which are the most popular tobacco product among young people. More than 14% of Maryland high school students report that they used e-cigarettes in 2023; young people are not just experimenting with these products but are showing signs of serious addiction. This youth addiction crisis reflects the increased availability of high nicotine e-cigarettes—some of today's e-cigarettes can contain as much or more nicotine as 200 cigarettes. Nicotine

is a highly addictive drug that can harm the adolescent brain – particularly the areas of the brain responsible for attention, learning, mood and impulse control.

The need for this legislation is broadly recognized. Polling shows that 81 percent of Maryland voters support common sense action to prevent the sale of tobacco products to our kids.

For these reasons, we urge you to vote in favor of SB 842.

Sincerely,

A handwritten signature in black ink that reads "Kristin Jimison". The signature is written in a cursive, flowing style.

Kristin Jimison
Regional Advocacy Director, Mid-Atlantic
Campaign for Tobacco Free Kids