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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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SB 842

Other Tobacco Products and Electronic Smoking Devices – Seizure and Wholesaler Licensure Requirement

Good afternoon Vice Chair Hayes and Members of the Finance Committee;

Thank you for the opportunity to present SB 842, Other Tobacco Products and Electronic Smoking Devices – Seizure and Wholesaler Licensure Requirement. Though Maryland has made important strides on tobacco control, the problem of youth access to tobacco products, particularly electronic smoking devices, remains significant. Big Tobacco is persistent in targeting children, and so we too must remain persistent in protecting these children from their products.

I have included several sponsor amendments with SB 842. The amendments arise from conversations we had with ATCC that further align the bill with their current practices. SB 842 with the amendments, 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.

The ATCC is currently able to seize tobacco products like cigarettes in carrying out its enforcement authority. Notably absent from any seizure authority, however, is authorizing language that allows it to seize electronic smoking devices for any violations. SB 842 would 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 like who the products were purchased from, what retailers they may be sold to, and supporting information like quantities and dates of sale, 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 other tobacco products are subject to.

These steps are critical for ensuring the same strategies and enforcement that protect Maryland's youth from products like cigarettes are also available for electronic smoking devices, which as you know, are a particularly prominent market with young smokers.

The need for this legislation is broadly recognized. In 2024, polling showed eighty-one percent of Maryland voters supported action against Big Tobacco to safeguard our children. The facts make clear why concern is so widespread. Over 48,000 Maryland high school students self-report that they use tobacco products, a number that likely falls short of the true total.

The impacts of tobacco use are significant. Maryland incurs annual healthcare costs of approximately \$3.14 billion directly related to smoking, and 27.5% of cancer-related deaths in Maryland can be traced to tobacco use.

For these reasons, I respectfully request a favorable report on SB 842, with sponsor amendments, and continue your strong track record of protecting our children from the dangers of tobacco. Thank you for your attention.

