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February 5, 2026

TO: The Honorable Pamela Beidle
Chair, Finance Committee

FROM: Anna MacCormack
Assistant Attorney General, Office of the Attorney General

RE: Senate Bill 249 – Tobacco Product Licensees – Additional Licensure for
Electronic Smoking Devices

The Office of Attorney General urges this Committee to report favorably on Senate Bill 249 – Tobacco Product Licensees – Additional Licensure for Electronic Smoking Devices.

Senate Bill 249 brings much-needed improvements to Maryland’s electronic smoking devices (“ESDs”) law, Business Regulation Title 16.7. There have been many changes since Title 16.7 was enacted in 2017, including significant growth in the market and an explosion in the number and type of ESDs.

Senate Bill 249 strengthens the licensing requirements for ESD manufacturers, wholesalers, and retailers by eliminating a significant gap in the licensure system. Currently, many, if not most, entities selling ESDs are exempted from obtaining ESD licenses because these entities already have cigarette or other tobacco products licenses.

Senate Bill 249 requires that all businesses obtain a separate ESD license, enabling the State to know what businesses are manufacturing, buying, and selling ESDs in Maryland. Senate Bill 249

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also waives additional licensing fees for retailers and vape shop vendors that already have cigarette and other tobacco products licenses, removing any financial obstacle for these entities to obtain the required ESD license.

Many ESDs sellers in Maryland have avoided licensure because of the loophole in the current law. Senate Bill 249 removes this and subjects ESD sellers to the requirement to obtain a license that has long existed for cigarette and other tobacco product sellers. This will enable the State to know what businesses are selling ESDs, which will improve enforcement of Business Regulation and tax laws.

For the foregoing reasons, the Office of the Attorney General urges a favorable report on Senate Bill 249.

cc: Committee Members