

TimCameron_FAV_SB508

Uploaded by: Cameron, Tim

Position: FAV



Timothy K. Cameron
SHERIFF

Office of the Sheriff

St. Mary's County, Maryland

Headquarters
23150 Leonard Hall Drive
Leonardtown, MD 20650
301-475-4200 Ext. 1900
301-475-4047 Fax

Detention Center
41880 Baldrige Street
Leonardtown, MD 20650
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An Internationally
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Senate Bill 508

St. Mary's County – Possession of Tobacco Product
or Electronic Smoking Device by an Individual
Under the Age of 21 Years – Prohibition

Hearing: February 18, 2020 at 12:00 p.m.

SUPPORT

February 18, 2020

The Honorable William C. Smith, Jr., Chairman
Judicial Proceedings Committee
2 East, Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

Dear Chairman Smith,

I SUPPORT Senate Bill 508 - St. Mary's County - Possession of Tobacco Product or Electronic Smoking Device by an Individual Under the Age of 21 Years-Prohibition which is being heard today, February 18, 2020 at 12:00p.m. in the Judicial Proceedings Committee.

I appreciate the introduction of this Bill and believe this legislation would benefit the citizens of St. Mary's County, especially our School Student population. I thank the Judicial Proceedings Committee for its consideration of my letter of SUPPORT.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Timothy K. Cameron', written over a horizontal line.

Timothy K. Cameron
Sheriff
St. Mary's County, Maryland

TKC/vjg

RichardFritz_FAV_SB508

Uploaded by: Fritz, Richard

Position: FAV



CIRCUIT COURT
DIVISION

RICHARD D. FRITZ
STATE'S ATTORNEY FOR ST. MARY'S COUNTY

JOHN HANSON BRISCOE COURT HOUSE
41605 COURT HOUSE DRIVE
POST OFFICE BOX 1755
LEONARDTOWN, MARYLAND 20650-1755

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Maryland Senate Judicial Proceedings Committee
William C. Smith, Jr., *Chair*
Miller Senate Office Building, 2 East
11 Bladen St., Annapolis, MD 21401

Re: Senate Bill 508 - Support

Dear Chairman Smith:

I am writing in support of Senate Bill 508 – St. Mary's County - Possession of Tobacco Product or Electronic Smoking Device by an Individual Under the Age of 21 Years – Prohibition. This bill is the result of an issue brought to my attention by the St. Mary's County Public Schools regarding possession of tobacco products and electronic smoking devices by students. Senate Bill 508 would resolve an unintended consequence caused by last year's law that repealed the prohibition on possession of a tobacco product by a minor in St. Mary's County.

I request a favorable report on Senate Bill 508. Thank you for your attention to this matter.

Respectfully,

Richard D. Fritz
State's Attorney, – St. Mary's County

St. Mary's Commissioners_FAV_SB508

Uploaded by: Guy, James

Position: FAV



Senate Bill 508

St. Mary's County – Possession of Tobacco Product or
Electronic Smoking Device by an Individual Under the
Age of 21 Years - Prohibition

Hearing: February 18, 2020 at 12:00 p.m.

SUPPORT

February 4, 2020

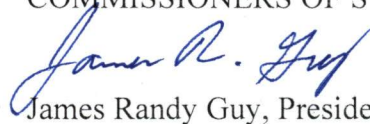
The Honorable William C. Smith, Jr., Chairman
Judicial Proceedings Committee
2 East, Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

Dear Chairman Smith:

The Commissioners of St. Mary's County SUPPORT Senate Bill 508 – St. Mary's County – Possession of Tobacco Product or Electronic Smoking Device by an Individual Under the Age of 21 Years – Prohibition which is being heard on February 18, 2020 at 12:00 p.m. in the Judicial Proceedings Committee.

We appreciate the introduction of this legislation and believe this legislation would benefit the citizens of St. Mary's County. We look forward to working with you on this and other initiatives throughout the session.

Sincerely,
COMMISSIONERS OF ST. MARY'S COUNTY


James Randy Guy, President

CSMC/AB/sf
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The Honorable William C. Smith, Jr., Chairman

February 4, 2020

Cc: Senator Jack Bailey
Delegate Matthew Morgan
Delegate Gerald Clark
Delegate Brian Crosby
Commissioner Eric Colvin
Commissioner Michael Hewitt
Commissioner Todd Morgan
Commissioner John O'Connor
Dr. Rebecca Bridgett, County Administrator
David Weiskopf, County Attorney

SenatorBailey_FAV_SB508

Uploaded by: Senator Bailey, Senator Bailey

Position: FAV

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Education, Health, and
Environmental Affairs Committee



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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James Senate Office Building
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District Office
Dorsey Professional Park
23680 Three Notch Road, Unit 101
Hollywood, Maryland 20636
240-309-4238

February 18, 2020

Senate Bill 508 – St. Mary's County - Possession of Tobacco Product or Electronic Smoking Device by an Individual Under the Age of 21 Years - Prohibition

Dear Chairman Smith and Members of the Committee,

As the Senator representing St. Mary's County, I am writing to introduce Senate Bill 508 – St. Mary's County - Possession of Tobacco Product or Electronic Smoking Device by an Individual Under the Age of 21 Years – Prohibition. This bill would prohibit an individual younger than age 21 from possessing a tobacco product or electronic smoking device in St. Mary's County, with an exception for active duty military members over the age of 18.

Last session, the General Assembly passed legislation raising the minimum age to purchase tobacco products from 18 to 21. At the same time, this legislation repealed the prohibition on a minor possessing tobacco products or electronic smoking devices. Following passage of this law last session, the St. Mary's County Public School System became concerned about students possessing tobacco products in our schools. Following discussions with our Sheriff's Office and State's Attorney, the school administration requested introduction of this local legislation to assist them with keeping tobacco out of our schools. I strongly support their efforts.

Senate Bill 508 does not impose any criminal penalties for possession of a tobacco product or electronic smoking device by an individual under the age of 21 in St. Mary's County; a violation of this law would be a civil offense.

I respectfully request a favorable report on Senate Bill 508. Thank you for your consideration of this important local bill.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey
District 29
Calvert and St. Mary's Counties

ScottSmith_FAV_SB508

Uploaded by: Smith, Scott

Position: FAV



St. Mary's County Public Schools
Central Administration

Office of the Superintendent
23160 Moakley Street, Suite 109
Leonardtown, Maryland 20650

Phone: 301-475-5511 ext. 32178; Fax: 301-475-4270

Dr. J. Scott Smith
Superintendent

BILL: Senate Bill 508 - St. Mary's County - Possession of Tobacco Product or Electronic Smoking Device by an Individual Under the Age of 21 Years - Prohibition
DATE: February 18, 2020
POSITION: **Support**
COMMITTEE: Senate Judicial Proceedings Committee
CONTACT: Dr. Scott Smith, Superintendent, St. Mary's County Public Schools

This bill prohibits an individual younger than age 21 from possessing a tobacco product or electronic smoking device (ESD) in St. Mary's County. The bill does not apply to certain individual who are acting as the agent of their employer within the scope of employment, or an active-duty member of the military who is at least age 18. A violation is a civil offense, and a minor who violates is subject to the jurisdiction of the juvenile court.

Over the last decade, teen smoking was reaching historic lows and this new epidemic of vaping has taken school systems across the country by surprise. According to a 2018 study done by the University of Michigan, "High school seniors had the sharpest one-year increase, with more than 37 percent reporting vaping within the past 12 months – a jump from nearly 28 percent in 2017. Additionally, the percentage of 12th-graders who reported vaping in their lifetime rose to 42.5 percent from 35.8 percent in 2017."

Perhaps the most serious aspect of this epidemic is that the long-term effects of vaping on developing brains will not be known for decades. The dangers of nicotine, and it is even more concentrated in e-cigarettes than traditional cigarettes. However, in addition to nicotine, there are toxic chemical and metals in many e-cigarettes and there have been reported cases that vaping causes respiratory issue, cardiovascular problems and even seizures. According to the National Institute on Drug Abuse, 66% of teens believed their e-cigarettes only contained flavoring and had no idea about all of the other harmful, and cancer-causing substances. The Institute has also discovered that about 30% of teens who start vaping progress to traditional smoking within six months.

St. Mary's County Public Schools are struggling to deal with this epidemic but one thing is clear – we cannot solve this problem on our own. This legislation reflects a comprehensive approach that includes prevention, education, and discipline. We look forward to continuing our work with families, the health department, and law enforcement with this legislation.

For the reasons stated above, St. Mary's County Public Schools **supports Senate Bill 508** and urges a favorable committee report.

ACS CAN_UNF_SB 508

Uploaded by: Collins, Jocelyn

Position: UNF



February 18, 2020

TO: The Honorable William C. Smith, Chair
The Honorable Jeff Waldstreicher, Vice Chair
Members of the Senate Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

FROM: Jocelyn Collins, Maryland and DC Government Relations Director
American Cancer Society Cancer Action Network, Inc.
555 11th St. NW, Suite 300
Washington, DC 20004

SUBJECT: SB 508 St. Mary's County—Possession of Tobacco Product or Electronic Smoking Device by an Individual Under the Age of 21 Years—Prohibition

Position: **OPPOSE**

The American Cancer Society Cancer Action Network (ACS CAN), the nonprofit, non-partisan advocacy affiliate of the American Cancer Society advocates for public policies that reduce the death and suffering from cancer including policies targeted at reducing tobacco use. ACS CAN **OPPOSES** SB 508, as evidence does not support effectiveness of penalizing youth purchase, use, and possession of tobacco products including electronic smoking devices.

Penalties for youth for purchase, use, and possession may divert attention from more effective tobacco control strategies and relieve the tobacco industry of responsibility for its marketing practices and retailer's irresponsible sale to minors. Further, these laws have been found to disproportionately impact minorities, specifically communities of color, the LGBTQ communities, and communities of lower socioeconomic status.

Some states passed PUP laws with the intention of reducing youth smoking by making kids more personally responsible for buying and using tobacco products. Penalizing children, however, has not been proven to be an effective strategy for reducing youth smoking; and some experts argue that PUP laws could actually detract from more effective enforcement measures and tobacco control efforts.¹

PUP laws also unfairly punish and stigmatize children, many of whom became addicted at a young age as a result of the tobacco industry's aggressive marketing to kids. In this way, PUP laws shift the blame away from the industry's irresponsible marketing and retailers' irresponsible sales, to its victims.

¹ Wakefield, M, and Giovino, G, "Teen penalties for tobacco possession, use, and purchase: evidence and issues," *Tobacco Control*, 12(Suppl1):i6-i13, 2003; Jason, LA, et al., "Youth Tobacco Sales-to-Minors and Possession-Use-Purchase Laws: A Public Health Controversy," *J Drug Education*, 35(4):275-290, 2005.

For those adolescents who do smoke, what they need most is access to evidence-based cessation resources, not fines. What has been proven effective is a dedicated enforcement entity conducting active enforcement, including graduated fines for retailers when in violation with potential for license suspension and revocation, licensing of all retailers, unannounced compliance checks on retailers, and signage. The current Tobacco 21 law does this, and ACS CAN encourages ongoing retailer compliance checks and active enforcement.

Additionally, SB 508 provides an exception for active duty military who presents a valid military identification. However, on December 20, 2019, United States President Donald J. Trump signed legislation amending the Federal Food, Drug, and Cosmetic Act, and raising the federal minimum age for sale of all tobacco products from 18 to 21 years. It is now illegal for a retailer to sell any tobacco product—including cigarettes, cigars, and e-cigarettes—to anyone under 21. The new federal minimum age of sale applies to all retail establishments and persons with no exceptions.

Again, rigorous enforcement of restrictions against sales to minors is critical to minimizing the accessibility of tobacco products and, ultimately, reducing youth tobacco use. We ask the committee for an **unfavorable report** on this legislation.

AHA_UNF_SB508

Uploaded by: Hale, Laura

Position: UNF



February 18th, 2020

Testimony of Laura Hale
American Heart Association

Oppose SB 508: St. Mary's County - Possession of Tobacco Product or Electronic Smoking Device by an Individual Under the Age of 21 Years - Prohibition

Dear Members of the Judiciary Committee,

Thank you for the opportunity to speak before you today. My name is Laura Hale and I am the Director of Government Relations for the American Heart Association. The American Heart Association offers our strong opposition to SB 508.

Last year, the General Assembly reviewed the personal use and possession language in the Tobacco 21 legislation. Upon review of the literature it is noted that these types of laws are ineffective at stopping youth from smoking and they can move key resources away from enforcing the law with the retailers¹. It is much more effective to stop youth smoking by stopping adults from ever selling to those under 21.

Furthermore, programs that penalize youth may deter them from seeking cessation services². Thus, these programs may keep youth from trying to quit and getting the help they need for fear of being arrested.

Targeting youth for possession of these products is ineffective and may lead to teens not trying to quit. The American Heart Association urges an unfavorable report on SB 508 as it will not stop youth from using these products. Enforcement is most effective at the retail level where you are punishing adults for selling to those underage.

¹ Wakefield, M, and Giovino, G, "Teen penalties for tobacco possession, use, and purchase: evidence and issues," *Tobacco Control*, 12(Suppl 1):i6-i13, 2003; Jason, LA, et al., "Youth Tobacco Sales-to-Minors and Possession-Use-Purchase Laws: A Public Health Controversy," *J Drug Education*, 35(4):275-290, 2005

² Hrywna, M, et al., "Content Analysis and Key Informant Interviews to Examine Community Response to the Purchase, Possession, and/or Use of Tobacco by Minors," *J Comm Health*, 29(3):209-216, 2004; Wakefield, M, and Giovino, G, "Teen penalties for tobacco possession, use, and purchase: evidence and issues," *Tobacco Control*, 12(Suppl 1):i6-i13, 2003; Loukas, A, et al., "Examining the Perspectives of Texas Minors Cited for Possession of Tobacco," *Health Promotion Practice*, 7(2):197-205, 2006.