



American Lung Association Testimony Senate Bill 99
Finance Committee
January 27, 2022
Support

Chairwoman Kelley and Members of the Committee:

Thank you for the opportunity to provide comments on Senate Bill 99, Cigarettes, Other Tobacco Products, and Electronic Smoking Devices – Local Law Authorization sponsored by the Senator Kramer. The American Lung Association **strongly supports** this bill as an integral way to address tobacco usage especially among youth.

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education and advocacy. The work of the American Lung Association is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases.

In data from the 2021 National Tobacco Youth Survey, e-cigarette use among high school and middle school students continue to show epidemic levels with more than 2 million high school and middle school students using e-cigarettes. The American Lung Association is particularly alarmed at the frequency of use by teens: 43.6% of high school students who use e-cigarettes are vaping regularly (20 or more of the past 30 days), and more than 1 in 4 (27.6%) are vaping daily. In Maryland 22.5% of high school students use a tobacco product and 15% of students report using multiple tobacco products. The tobacco industry has continued to target youth users with marketing of flavored tobacco products which makes them appealing to youth, with many of them not realizing that these products contain nicotine. The report shows that 85% of youth use flavored e-cigarettes. As a result, we are setting our kids up for a lifetime of addiction and losing the opportunity for the first tobacco-free generation.

In Maryland, local governments have been stripped of their power to fully protect residents from the devastating effects of tobacco use as a result of a contentious 2013 court ruling, *Altadis v. Prince George's County* which was brought by the tobacco industry and prevented Prince George's County and other jurisdictions from passing new laws regulating tobacco products. Prior to this 2013 court ruling local governments in Maryland had the power under the Maryland Constitution and Code to enact local laws related to smoking, tobacco use, and sale of tobacco products.

Senate Bill 99 **restores** the authority that local governments in Maryland **once had** by allowing local governments to enact and enforce local tobacco control laws. Tobacco control policy in Maryland does not have to exist only at the state or even with the local government. Each level of government brings its own strengths with local governments being uniquely positioned to meet the needs of the people who live in their communities. They see firsthand how effective tobacco control policy can evolve over time, and can respond more quickly to local needs, tailor ordinances to meet those needs and develop effective enforcement measures.

The American Lung Association thanks the Maryland General Assembly for their continued commitment to the health and wellbeing of the residents of Maryland and the desire to protect Maryland youth from a lifelong tobacco and nicotine addiction. The American Lung Association strongly supports Senate Bill 99 which will **restore local authority** over tobacco control and enforcement and encourages swift action to move the bill out of committee and passage by the General Assembly.

Sincerely,

A handwritten signature in cursive script that reads "Aleks Casper".

Aleks Casper
Director of Advocacy, Maryland
202-719-2810
aleks.casper@lung.org