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Annapolis, Maryland 21401

Legislative District 40



Testimony of Senator Hayes in Support of Senate Bill 279: *Baltimore City - Cigarettes, Other Tobacco Products, and Electronic Smoking Devices - Local Laws Authorization*

February 5, 2026

Dear Madam Chair Beidle and Members of the Finance Committee,

The Maryland Department of Health reports that approximately 7,500 adults in Maryland die each year from tobacco-related causes, and 150,000 more suffer from tobacco-related diseases. Baltimore City, in particular, has the highest prevalence of smokers in the state. African Americans experience higher smoking rates, contributing to significant health disparities across Maryland. These disparities are further exacerbated by the high density of tobacco retailers—more than 1,600 operate within Baltimore City alone.

Smoking remains a leading public health hazard in Baltimore City. Addressing this hazard requires legislative tools that can be enacted and enforced efficiently at the local level. Senate Bill 279 seeks to improve local public health responses by authorizing the Baltimore City Council and the Mayor to enact and enforce laws regulating the sale and distribution of cigarettes and other tobacco-related products.

Currently, Baltimore City is preempted from legislating in these areas due to the Maryland Court of Appeals' decision in *Altadis v. Prince George's County*. Other jurisdictions, including New York and Philadelphia, have enacted legislation to prevent similar preemption, recognizing that such limitations inhibit effective control of tobacco retailer density—a factor directly correlated with tobacco use.

Senate Bill 279 would also allow Baltimore City to enforce tobacco laws in coordination with the Comptroller's Office, creating an opportunity to reduce the broad enforcement burden that currently rests with the Comptroller.

Overall, Senate Bill 279 proposes granting Baltimore City authority that is proportional to the public health hazard posed by current tobacco usage rates. In addition to strengthening tobacco-

related policy and enforcement, the bill has meaningful potential to alleviate the extensive enforcement responsibilities currently borne by the Comptroller's Office.

Thus, I urge a favorable report on Senate Bill 279.

Respectfully,

Senator Antonio L. Hayes
40th Legislative District – MD