

- 3 – 8** **Municipal tobacco licensing law.** Adds “tobacco-related devices” to the types of products that are covered by the municipal tobacco licensing and regulation law. This will subject sales of “e-cigarettes” and similar products to this law.
- 9** **Behind-the-counter sales.** Requires tobacco-related devices to be sold behind the counter under the same rules that apply to cigarettes and tobacco products. This section allows establishments where the retailer ensures that minors are not permitted to qualify to sell cigarettes and tobacco products from open displays. Present law required minors to be prohibited from entering (presumably by law).
- 10** **Definition of tobacco; prohibition on sales to children.** Modifies the definition of tobacco for purposes of the criminal law prohibiting sales of tobacco to minors in to be consistent with the changes made section 1.
- 11** **Criminal penalties for sales of nicotine delivery products to minors.** Provides it is a misdemeanor to sell a product containing or delivering nicotine or lobelia for human consumption to a minor. A second offense within five years of the first offense is a gross misdemeanor. Sales of products approved by the FDA are exempt from this prohibition.
- Use of false identification to purchase nicotine or lobelia delivery products is a misdemeanor.
- Possession of the products by a minor is a petty misdemeanor.