



SF0107

E-cigarette and vapor material directory.

Sponsored By: Senator(s) Landen, Baldwin, Boner, Ellis, Pappas and Schuler and Representative(s) Brown, Chadwick, Davis, Oakley and Zwonitzer, Dn

AN ACT relating to taxation and revenue; requiring manufacturers of electronic cigarettes and vapor material to file certifications as specified; creating a product directory; prohibiting the sale of electronic cigarettes and vapor material that are not included in the product directory; providing penalties; making conforming amendments; requiring rulemaking; requiring reports; making an appropriation; and providing for an effective date.

2/12/2024 Bill Number Assigned
2/13/2024 S Received for Introduction
2/15/2024 S Introduced and Referred to S03 - Revenue 28-1-2-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Case, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Jones, Kolb, Landen, Laursen, Mckeown, Pappas, President Driskill, Rothfuss, Salazar, Schuler, Scott, Steinmetz

Nays: Senator Ide

Excused: Senator(s) Kinskey, Nethercott

Ayes 28 Nays 1 Excused 2 Absent 0 Conflicts 0

2/16/2024 :Refer to S01 - Judiciary
2/21/2024 S01 - Judiciary:Recommend Do Pass 3-2-0-0-0

ROLL CALL

Ayes: Senator(s) Furphy, Landen, Schuler

Nays: Senator(s) Case, Cooper

Ayes 3 Nays 2 Excused 0 Absent 0 Conflicts 0

2/21/2024 :Rerefer to S02 - Appropriations
2/22/2024 S02 - Appropriations:Recommend Amend and Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Gierau, Kinskey, Nethercott

Nays: Senator Salazar

Ayes 4 Nays 1 Excused 0 Absent 0 Conflicts 0

2/22/2024 S Placed on General File

SF0107SS001/ADOPTED

Page 1-line 7 After "reports;" insert "making an appropriation;".

Page 11-after line 14 Insert:

"Section 3. There is appropriated three hundred sixty-two thousand nine hundred forty-eight dollars (\$362,948.00) from the general fund to the department of revenue for purposes of creating a certification portal for manufacturers of electronic cigarettes and vapor material and the enforcement of this act. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2026. This appropriation shall not be transferred or expended for any other purpose and any unexpended,

unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2026."

Page 11-line 16 Delete "3." and insert "4.". KINSKEY, CHAIRMAN

SF0107SW001/ADOPTED

Page 4-line 17 Delete "October 1, 2024" and insert "January 1, 2025".

Page 5-line 2 Delete "October 1, 2024" and insert "February 1, 2025".
LANDEN

2/23/2024 S COW:Passed
2/26/2024 S 2nd Reading:Passed
2/27/2024 S 3rd Reading:Passed 17-14-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Boner, Dockstader, Furphy, Gierau, Hicks, Hutchings, Jones, Landen, Laursen, Pappas, Rothfuss, Salazar, Schuler, Scott

Nays: Senator(s) Biteman, Bouchard, Brennan, Case, Cooper, Ellis, French, Ide, Kinskey, Kolb, Mckeown, Nethercott, President Driskill, Steinmetz

Ayes 17 Nays 14 Excused 0 Absent 0 Conflicts 0

2/28/2024 H Received for Introduction
2/29/2024 H Introduced and Referred to H07 - Corporations
3/4/2024 H07 - Corporations:Recommend Amend and Do Pass 5-4-0-0-0

ROLL CALL

Ayes: Representative(s) Chadwick, Harshman, Knapp, Olsen, Wylie

Nays: Representative(s) Haroldson, Newsome, Ottman, Yin

Ayes 5 Nays 4 Excused 0 Absent 0 Conflicts 0

3/4/2024 H07 - Corporations:Rerefer to H02 - Appropriations
3/5/2024 H02 - Appropriations:Recommend Do Pass 6-1-0-0-0

ROLL CALL

Ayes: Representative(s) Henderson, Larsen, Nicholas, Stith, Walters, Zwonitzer

Nays: Representative Sherwood

Ayes 6 Nays 1 Excused 0 Absent 0 Conflicts 0

3/5/2024 H Placed on General File

SF0107HS001/ADOPTED (TO ENGROSSED COPY)

Page 6-line 16 Delete "40-12-105(xv)" and insert "40-12-105(a)(xv)".

Page 7-line 7 Delete "biannually" and insert "every two (2) years".

Page 7-line 13 Delete "biannually" and insert "every two (2) years".
OLSEN, CHAIRMAN

SF0107HW001/ADOPTED (TO ENGROSSED COPY)

Page 2-line 6 Delete "2024" and insert "2025".

Page 4-line 17 Delete "2025" and insert "2026".

Page 5-line 2 Delete "2025" and insert "2026".

Page 10-line 1

Delete "2025" and insert "2026". NEWSOME

3/5/2024

H COW:Passed 35-27-0-0-0

ROLL CALL

Ayes: Representative(s) Allred, Berger, Brown, Burkhardt, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Harshman, Henderson, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Rodriguez-Williams, Speaker Sommers, Stith, Storer, Walters, Washut, Winter, Wylie, Zwonitzer, Dan, Zwonitzer, Dave

Nays: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Haroldson, Heiner, Hornok, Jennings, Locke, Neiman, Newsome, Ottman, Pendergraft, Penn, Provenza, Sherwood, Singh, Slagle, Smith, Strock, Styvar, Tarver, Trujillo, Ward, Western, Yin

Ayes 35 **Nays** 27 **Excused** 0 **Absent** 0 **Conflicts** 0

SF0107H2001/WITHDRAWN

SF0107H2002/ADOPTED (TO ENGROSSED COPY)

Delete the Yin second reading amendment (SF0107H2001/AE) entirely and further amend the engrossed copy as follows:

Page 2-line 17 Delete "or".

Page 3-line 4 Delete "." and insert "; or".

Page 3-after line 4 Insert:

"(iii) For non-tobacco nicotine electronic cigarette or vapor material products, the manufacturer submitted a premarket tobacco product application to the United States food and drug administration before May 14, 2022 and the application either remains under review by the United States food and drug administration or a final decision on the application has not taken effect.". SINGH

3/6/2024 H 2nd Reading:Passed

SF0107H3001/WITHDRAWN

SF0107H3002/FAILED (TO ENGROSSED COPY)

Delete the Singh second reading amendment (SF0107H2002/AE) entirely and further amend as follows:

Page 1-line 7 After "amendments;" insert "providing definitions;".

Page 11-after line 3 Insert and renumber as necessary:

"(iii) "Electronic cigarette" or "e-cigarette" means as defined by W.S. 14-3-301(a)(v) and shall not include an open-system electronic cigarette;

(iv) "Open-system electronic cigarette" means an electronic cigarette that utilizes a nicotine solution in a container that is intended to be refillable or that makes the nicotine system accessible to the consumer through customary or foreseeable handling or use;

(v) "Vapor material" means as defined by W.S. 14-3-301(a)(vii) and shall not include vapor material sold for use in an open-system electronic cigarette.". DAVIS

3/7/2024 H 3rd Reading:Failed 6-56-0-0-0

ROLL CALL

Ayes: Representative(s) Chadwick, Nicholas, Oakley, Rodriguez-Williams, Winter, Wylie

Nays: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhart, Jr, Byron, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Niemiec, Northrup, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Provenza, Sherwood, Singh, Slagle, Smith, Speaker Sommers, Stith, Storer, Strock, Styvar, Tarver, Trujillo, Walters, Ward, Washut, Western, Yin, Zwonitzer, Dan, Zwonitzer, Dave
Ayes 6 **Nays** 56 **Excused** 0 **Absent** 0 **Conflicts** 0