

On page 1, line 1, of the Introduced bill, after "products," insert " to provide for a new tax,"

On page 2, line 1, of the Introduced bill, after "products" insert ", unless the person obtains a single distributor license for all places of business operated by the person"

On page 2, line 6, of the Introduced bill, after "dollars" insert " for each place of business not to exceed a total of five hundred dollars, or pay a license fee of no more than five hundred dollars for a single license for all places of business operated by the person"

On page 2, line 10, of the Introduced bill, after "chapter." insert " No fee may be imposed for the application or licensure of a vapor product distributor except as provided in this section."

On page 2, line 21, of the Introduced bill, delete " by the manufacturer of the vapor product stating:

(1) The manufacturer, pursuant to 21 U. S. C. § 387j (January 1, 2025)," and insert a space

On page 2, line 22, of the Introduced bill, delete " received a marketing granted order for the vapor product from the United States Food and Drug Administration; or

(2) The vapor product was marketed in the United States on or before August 8, 2016, and;

(a) On or before September 9, 2020, the manufacturer, pursuant to 21 U. S. C. § 387j (January 1, 2025), submitted to the United States Food and Drug Administration a premarket tobacco product application for the vapor product and the application was accepted for filing; and

(b) The application remains under review by the United States Food and Drug Administration or a final decision on the application has not yet taken effect." and insert " by the manufacturer of the vapor product stating that the vapor product complies with state law and 15 U.S.C. §§ 375 to 378, inclusive (January 1, 2025). The distributor shall maintain records verifying compliance required by this section, including proper labeling, ingredient disclosure, and marketing restrictions."

On page 3, line 4, of the Introduced bill, delete " that do not meet the certification requirements pursuant to section 5 of this Act" and insert " in violation of this chapter"

On page 3, line 13, of the Introduced bill, delete " a copy of the certification provided by a manufacturer pursuant to section 5 of this Act" and insert " record of its vapor product sales, including manufacturer information and product compliance with state law"

On page 3, line 15, of the Introduced bill, after "request." insert " A retailer shall maintain records verifying that all vapor products purchased by the retailer were purchased from a licensed distributor in compliance with state law and federal law, including 15 U. S. C. §§ 375 to 378, inclusive (January 1, 2025)."

On page 4, line 10, of the Introduced bill, delete " meet the certification requirements pursuant to section 5 of this Act" and insert " comply with the provisions of this chapter"

On page 4, line 14, of the Introduced bill, after "1-26." insert "

A person that receives notice that a vapor product is contraband may request a hearing before the secretary within fourteen days of receiving the notice. No disposal or destruction of the vapor product may occur until the hearing process has concluded and a final determination has been made. A decision of the secretary may be appealed to circuit court pursuant to chapter 1-26."

On page 4, line 24, of the Introduced bill, delete ". This section applies regardless of whether the person engaged in the business of selling or distributing vapor products is located within or outside of this state." and insert ", except as permitted under federal law, including 15 U.S.C. §§ 375 to 378, inclusive (January 1, 2025). An action to enforce the provisions of this section may only be taken on violations of federal law, and may not impose restriction other than those provided by federal law."

On page 4, line 29, of the Introduced bill, after "Act" insert ", if such shipment is not in compliance with federal law governing interstate commerce"

On page 5, line 3, of the Introduced bill, after "Act" insert ", which is a violation of federal law"