Vaping and E-Cigarettes: Taxation of 21st Century Nicotine Alternatives

Overview of State E-cigarette Regulations and Taxation

NCSL SALT Task Force
Scottsdale, Arizona 11/17/18

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What is an e-cigarette?

Source: CDC.gov
Current Areas of State Regulation

- Definitions of e-cigarette: many states define with variation
- Prohibit e-cig sales to minors: nearly all states explicitly
- Inclusion (or not) in clean indoor air laws: varies
- Requiring child-resistant liquid nicotine packaging or other safety: over half
- Taxes: 9 states and District of Columbia
- … and more!
- Depending on pre-emption, localities may regulate: smoke and tobacco free regulations and licensing, etc.
  - *As of Sept. 1, 2018*
The Family Smoking Prevention and Tobacco Control Act- 2009, allowed for the FDA to regulate tobacco products
- Defines how FDA can/can’t regulate products
- Defines how states can/can’t regulate products
- Created the Center for Tobacco Products (CTP) to oversee the FSPTCA
  - Has ability to approve marketing of a Modified Risk Tobacco Product
FAQs

Q: Are e-cigs/vapor products safer than traditional cigarettes?

A: Public Health and research community varies.

According to the CDC, the vapor from e-cigarettes has “far fewer of the toxins found in smoke compared to traditional cigarettes.” BUT…. Still contain nicotine, etc… causes cardiac issues.

Over 700 pages of analysis by National Academies of Science: *Public Health Consequences of E-Cigarettes*. https://doi.org/10.17226/24952

The net public health effect, harm or benefit, of e-cigarettes depends on three factors: their effect on youth initiation of combustible tobacco products, their effect on adult cessation of combustible tobacco products, and their intrinsic toxicity. If e-cigarette use by adult smokers leads to long-term abstinence from combustible tobacco cigarettes, the benefit to public health could be considerable.

However, because the known risks of combustible tobacco are so great, understanding the net public health effect of e-cigarettes requires understanding not only the inherent risks of e-cigarettes, but also the relationship between e-cigarette use and combustible tobacco cigarette use. Furthermore, concerns have been raised that e-cigarettes will induce youth to begin using combustible tobacco cigarettes.

…. And more!
Contact

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