

2026 Regular Session

HOUSE BILL NO. 623

BY REPRESENTATIVE CHANCE HENRY

TOBACCO/TOBACCO PRODUCTS: Provides for a three-tier system of permitting for the producers, manufacturers, and wholesalers of vapor products

1 AN ACT

2 To enact R.S. 26:914.1, relative to permits for vapor products; to provide for requirements  
3 for certain permitted manufacturers and dealers of vapor products; to provide for  
4 limitations and requirements; to except certain sales of vapor products to affiliated  
5 entities; to provide for certain exceptions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 26:914.1 is hereby enacted to read as follows:

8 §914.1. Three-tier system for vapor products

9 A.(1) No Louisiana-permitted manufacturer of vapor products shall do any  
10 of the following:

11 (a) Hold a retail dealer permit issued pursuant to this Chapter for the purpose  
12 of selling vapor products to Louisiana consumers.

13 (b) Hold a wholesale dealer permit issued pursuant to this Chapter for the  
14 purpose of selling vapor products to Louisiana consumers.

15 (c) Possess any direct or indirect financial interest in a Louisiana-permitted  
16 wholesale dealer or retail dealer of vapor products.

17 (2) No Louisiana-permitted wholesale dealer of vapor products shall hold a  
18 retail dealer permit issued pursuant to this Chapter for the purpose of selling vapor  
19 products to Louisiana consumers.

1           (3) No Louisiana-permitted retail dealer of vapor products shall do either of  
2           the following:

3           (a) Hold a wholesale dealer permit issued pursuant to this Chapter for the  
4           purpose of selling vapor products to other Louisiana-permitted retail dealers.

5           (b) Purchase vapor products from any person other than a  
6           Louisiana-permitted wholesaler dealer.

7           B.(1) A Louisiana-permitted manufacturer shall not sell vapor products  
8           directly to a Louisiana-permitted retail dealer for resale to Louisiana consumers.

9           (2) Direct shipment of vapor products from a Louisiana-permitted  
10          manufacturer to a Louisiana-permitted retail dealer is prohibited.

11          (3) Direct to consumer shipment of vapor products from a manufacturer or  
12          out-of-state or in-state seller to a Louisiana consumer is prohibited.

13          (4) A Louisiana-permitted wholesale dealer may sell or distribute vapor  
14          products or any other product covered by this Chapter to a Louisiana-permitted retail  
15          dealer that is an affiliated entity of the wholesale dealer. The term "affiliated entity"  
16          as used in this Section shall mean any person or entity that directly or indirectly  
17          controls, is controlled by, or is under common control with another person or entity.

18          C. The provisions of this Section do not apply to lawful marijuana or  
19          marijuana products authorized pursuant to R.S. 40:1046 et seq. and regulated by the  
20          Louisiana Department of Health.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 623 Re-Reengrossed

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Chance Henry

**Abstract:** Provides for a three-tier system for La.- permitted producers, manufacturers, and wholesalers of vapor products.

Present law (R.S. 26:902) provides for the issuance of retail dealer and wholesale dealer permits for the sale of vapor products in the state of La.

Proposed law retains present law and provides for a three-tier system for the issuance of permits for the sale of vapor products in the state of La.

Proposed law provides that a La.-permitted manufacturer of vapor products cannot:

- (1) Hold a retail dealer permit to sell vapor products to La. consumers.
- (2) Hold a wholesale dealer permit to sell vapor products to La. consumers.
- (3) Possess any direct or indirect financial interest in a permitted wholesaler or retailer in the state of La.
- (4) Sell vapor products to a La.-permitted retail dealer for resale to La. consumers.
- (5) Directly sell vapor products.

Proposed law provides that a La.-permitted wholesaler of vapor products cannot hold a retail dealer permit to sell vapor products to La. consumers.

Proposed law provides that a La.-permitted retailer of vapor products cannot:

- (1) Hold a wholesaler permit to sell vapor products to other La.-permitted retail dealers.
- (2) Purchase vapor products from any person other than a wholesaler with a valid permit issued in the state of La.

Proposed law prohibits the direct shipment of vapor products to a consumer by a La.-permitted manufacturer or in-state or out-of state seller.

Proposed law allows a La.-permitted wholesaler to sell or distribute vapor products to a La.-permitted retailer that is an affiliated entity of the wholesaler. Further defines "affiliated entity".

Proposed law excludes lawful marijuana or marijuana products authorized by the La. Dept. of Health from the requirements of proposed law.

(Adds R.S. 26:914.1)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Remove tobacco products from the proposed three-tier permitting system for producers, manufacturers, and wholesalers of such products.
2. Exclude lawful marijuana or marijuana products authorized by the La. Dept. of Health from the three-tier permitting system.

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Prohibit direct shipment to a consumer from a manufacturer or in-state or out-of-state seller.

The House Floor Amendments to the reengrossed bill:

1. Clarify that the three-tier system for the issuance of permits for vapor products applies to La.-permitted manufacturers, retailers, and wholesalers.

2. Prohibit the sale of vapor products by La.-permitted manufacturers and La.-permitted wholesalers directly to La. consumers.
3. Prohibit a La.-permitted retailer from having a wholesaler permit.
4. Allow a La.-permitted wholesaler to sell or distribute vapor products to a La.-permitted retailer that is an affiliated entity of the wholesaler.
5. Define "affiliated entity".