
SENATE FLOOR AMENDMENTS

2016 Regular Session

Amendments proposed by Senator Morrish to Reengrossed House Bill No. 218 by Representative Hoffmann

AMENDMENT NO. 1

On page 1, line 2, after "use" insert "and possession"

AMENDMENT NO. 2

On page 1, line 3, after products, insert ", vapor products and alternative nicotine products"

AMENDMENT NO. 3

On page 1, line 5, after products, insert ", vapor products and alternative nicotine products"

AMENDMENT NO. 4

On page 2, line 2, after containing delete the remainder of the line

AMENDMENT NO. 5On page 2, line 3, delete "made or derived from" and after "consumption," delete ", whether" and insert a period "."AMENDMENT NO. 6

On page 2, delete lines 4 and 5

AMENDMENT NO. 7

On page 2, between line 5 and 6 insert the following:

" (3) "Vapor product" means any non-combustible product containing nicotine or other substances that employs a heating element, power source, electronic circuit, or other electronic, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other for. "Vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Vapor product" does not include any of the following:

(a) Product that is a drug pursuant to 21 U.S.C. 321(g)(1)

(b) Device pursuant to 21 U.S.C. 321(h).

(c) Combination product described in 21 U.S.C. 353(g)

(4) "Alternative nicotine product" means any non-combustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means. "Alternative nicotine product" does not include any of the following:

(a) Tobacco product.

(b) Vapor product.

(c) Product that is a drug pursuant to 21 U.S.C. 321(g)(1)

(d) Device pursuant to 21 U.S.C. 321(h).

(e) Combination product described in 21 U.S.C. 353(g)"

AMENDMENT NO. 8

1 On page 2, line 7, after any delete "tobacco or" and after product insert ", vapor product or
2 alternative nicotine product"

3 AMENDMENT NO. 9

4 On page 2, line 9 after "product" insert ", vapor product or alternative nicotine product"

5 AMENDMENT NO. 10

6 On page 2, line 12, after "smoke" insert ", use" and after "or" delete the remainder of the line.

7 AMENDMENT NO. 11

8 On page 2, line 13, delete "other form of smoking object or device₂"

9 AMENDMENT NO. 12

10 On page 2, line 17, after "~~area.~~" delete the remainder of the line

11 AMENDMENT NO. 13

12 On page 2, line 18, delete "cigarettes, advanced personal vaporizers, vape pens, and vape
13 mods" and insert "possess"

14 AMENDMENT NO. 14

15 On page 2, line 20, after "use" insert "or possession" and delete "tobacco or"

16 AMENDMENT NO. 15

17 On page 2, line 20, after "product' insert ", vapor product or alternative nicotine product"

18 AMENDMENT NO. 16

19 On page 2, line 21, after "on any" delete "public"

20 AMENDMENT NO. 17

21 On page 2, line 21 after "attending any" delete the remainder of the line and delete line 22

22 AMENDMENT NO. 18

23 On page 3, line 1, after "fine" delete "not" and insert in lieu thereof "or both, with such fine
24 not to exceed twenty-five dollars for a first violation, one hundred dollars for a second
25 violation, and two-hundred fifty dollars for a third and succeeding violation. Monies
26 collected in accordance with this Paragraph shall be used exclusively to defray the cost of
27 enforcement of the provisions herein."

28 AMENDMENT NO. 19

29 On page 3, delete line 2 in its entirety