

2021 Regular Session

HOUSE RESOLUTION NO. 151

BY REPRESENTATIVE MINCEY

TOBACCO/TOBACCO PRODUCTS: Requests the office of alcohol and tobacco control to study issues related to prevention of access to tobacco products by underage persons

1 A RESOLUTION

2 To urge and request the commissioner of the office of alcohol and tobacco control to use its
3 authority to conduct a study on the adoption of enhanced access controls at retail
4 outlets as a more effective regulation that promotes responsible business practices
5 and the prevention of access to tobacco products by underage persons, particularly
6 as the state adopts and implements a minimum age of twenty-one for tobacco
7 products.

8 WHEREAS, age-verification compliance remains critical to restrict underage access
9 to tobacco products, including vapor products, and age-verification failure rates in Louisiana
10 can be improved; and

11 WHEREAS, a leading contributor of underage use has been social sourcing, when
12 a purchaser of legal age provides a tobacco product to an underage user. Recent data
13 published by the Centers for Disease Control and Prevention and others indicate that social
14 sourcing accounts for approximately seventy to eighty percent of underage use of vapor
15 products; and

16 WHEREAS, results from the most recent National Youth Tobacco Survey show a
17 significant year-over-year decline in underage use of vapor products. In 2020, 19.6% of
18 high-school students reported use in the past thirty days, compared to 27.5% in 2019, and
19 4.7% of middle-school students reported use in the past thirty days, compared to 10.5% in

1 2019. Although such results are encouraging, more can and should be done to accelerate the
2 decline in underage use of tobacco and vapor products; and

3 WHEREAS, a rapidly evolving marketplace, driven by new technology, presents an
4 opportunity to implement new controls on how age-restricted products like tobacco and
5 vapor are sold at retail; and

6 WHEREAS, technologically-based solutions now can use barcode-scanning
7 technology to automatically verify the purchaser's age and validity of their identification
8 (ID). Physical scanners or other software-based technologies can pull information from the
9 barcode on a government-issued ID and determine whether the purchaser is of legal age and
10 whether the ID has expired. The same technology can extract information from the
11 purchaser's ID and temporarily display that information on the point-of-sale screen, enabling
12 the retail clerk to verify that the information matches what is presented on the physical ID
13 to reduce potential fraud; and

14 WHEREAS, point-of-sale systems can be embedded with automated controls that
15 also limit the amount of product that can be purchased, thus restricting bulk purchases and
16 further reducing the potential for social sourcing.

17 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
18 urge and request the commissioner of the office of alcohol and tobacco control to study the
19 proposed adoption of enhanced access controls at retail outlets as a more effective regulation
20 that promotes responsible business practices and the prevention of access to tobacco
21 products by underage persons, particularly as the state adopts and implements a minimum
22 age of twenty-one for tobacco products.

23 BE IT FURTHER RESOLVED that the commissioner may submit a publicly
24 available, written report containing its findings and recommendations to the legislature and
25 governor no later than January 19, 2022.

26 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
27 commissioner of the office of alcohol and tobacco control.

28 BE IT FURTHER RESOLVED that the commissioner of the office of alcohol and
29 tobacco control shall submit one printed copy and one electronic copy of any report

- 1 produced pursuant to this Resolution to the David R. Poynter Legislative Research Library
 - 2 as required by R.S. 24:772.
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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)]

HR 151 Original

2021 Regular Session

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Requests the commissioner of the office of alcohol and tobacco control to study the adoption of enhanced access controls at retail outlets as a more effective regulation that promotes responsible business practices and the prevention of access to tobacco products by underage persons.