
SENATE FLOOR AMENDMENTS

2023 Regular Session

Amendments proposed by Senator McMath to Reengrossed House Bill No. 635 by Representative Hollis

1 AMENDMENT NO. 12 Delete Senate Committee Amendment No. 9 proposed by the Senate Committee on Revenue
3 and Fiscal Affairs and adopted by the Senate on May 30, 20234 AMENDMENT NO. 2

5 On page 1, line 3, after "enact" change "R.S. 26:926" to "R.S. 26:911(E) and 926"

6 AMENDMENT NO. 3

7 On page 1, line 14, after "limitations;" insert "to provide for age verification;"

8 AMENDMENT NO. 49 On page 2, at the end of line 19 and at the beginning of line 20 change "R.S. 26:926 is" to
10 "R.S. 26:911(E) and 926 are"11 AMENDMENT NO. 5

12 On page 3, between lines 3 and 4 insert the following:

13 "E. No manufacturer shall sell any vapor products, electronic cigarettes, or
14 alternative nicotine products online to any person under the age of twenty-one.15 (1) At the time of any online purchase of vapor products, electronic
16 cigarettes, or alternative nicotine products, a manufacturer shall obtain and verify the
17 age of the recipient through the use of a real-time electronic age verification platform
18 that shall be approved by the commissioner and such platform shall be capable of
19 both of the following:20 (a) Verifying proof of age through authoritative digitized identification card
21 technology.22 (b) Storing the recipient's name, age, date of birth, the expiration date of the
23 identification, and the date and time that the identification was verified.24 (2) A manufacturer shall refuse the online purchase of any vapor products,
25 electronic cigarettes, or alternative nicotine products if either:26 (a) The recipient does not produce a valid and current form of identification
27 as provided in this Subsection.28 (b) There is reason to doubt the authenticity or correctness of the recipient's
29 identification.30 (3) At the time of any delivery of any vapor products, electronic cigarettes,
31 or alternative nicotine products purchased online, a third-party delivery agent shall
32 obtain the recipient's signature and verify the age of the recipient through the use of
33 a real-time electronic age verification device that shall be approved by the
34 commissioner and such device shall be capable of the following:35 (a) Verifying proof of age through authoritative digitized identification card
36 technology.37 (b) Reading a valid state-issued driver's license, a valid state issued
38 identification card, a valid military identification card, or a valid passport.39 (c) Storing the recipient's name, age, date of birth, the expiration date of the
40 identification, and the date and time that the identification was scanned.41 (4) The third party's delivery agent shall refuse delivery and return the vapor
42 products, electronic cigarettes, or alternative nicotine products to the manufacturer
43 if any of the following occur:

1 (a) The recipient does not produce a valid and current form of identification
2 as provided in this Section.

3 (b) There is reason to doubt the authenticity or correctness of the recipient's
4 identification.

5 (c) The recipient refuses to sign for the receipt of the delivery.

6 (5) Any violation of this Subsection shall result in a fine of five hundred
7 dollars per offense.

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9 AMENDMENT NO. 6

10 On page 5, delete lines 12 through 19 and insert the following:

11 "G. Each certifying vapor product manufacturer or alternative nicotine
12 product manufacturer shall pay an initial fee of one hundred dollars per product stock
13 keeping unit or SKU to offset the costs incurred by the commissioner for processing
14 the certifications and operating the directory. The commissioner shall collect an
15 annual renewal fee of one hundred dollars per product stock keeping unit or SKU to
16 offset the costs associated with maintaining the directory and satisfying the
17 requirements of this Section. The fees received pursuant to this Section by the
18 commissioner shall be used by the office of alcohol and tobacco control exclusively
19 for processing the certifications and operating and maintaining the directory."

20 AMENDMENT NO. 7

21 On page 7, line 18, change "ten" to "fifteen"