

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 302

2026 Regular Session

Chassion

TOBACCO/TOBACCO PRODUCTS: Prohibits the sale of vapor products near schools

Synopsis of Senate Amendments

1. Added a provision that proposed law does not apply to lawful marijuana or marijuana products authorized pursuant to present law and regulated by LDH.
2. Added a provision that stated that proposed law shall not be construed to limit a municipality or parish from imposing stricter requirements than proposed law for the sale of vapor, tobacco, or alternative nicotine products.
3. Added a provision requiring any applicant for a tobacco retail license demonstrate compliance with municipal or parish ordinances.

Digest of Bill as Finally Passed by Senate

Present law further provides that "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.

Present law provides relative to retail dealer permits and the renewal of retail dealer permits for the sale of vapor products.

Proposed law retains present law and prohibits the sale, offer for sale, storage, or maintenance of stock of vapor products on a premises situated within 300 feet of a school when prohibited by a municipal or parish ordinance.

Proposed law provides that in municipalities and unincorporated areas divided into subdivisions, the measurement of 300 feet is to be measured as a person walks using the sidewalk from the nearest point of the property line of the school to the nearest point of the premises to be licensed.

Proposed law authorizes the municipality or parish to establish an alternate method of measurement of the 300 foot limitation by measuring in a straight line from the nearest point of the property line of the school to the nearest point of the premises to be licensed.

Proposed law provides that the alternative method of measurement applies only prospectively to a new permit issued on or after the date the alternative method of measurement has been adopted.

Proposed law provides that proposed law does not apply to lawful marijuana or marijuana products authorized pursuant to present law and regulated by LDH.

Proposed law shall not be construed to prevent a municipality or parish from enacting stricter requirements for the sale of vapor, tobacco, or alternative nicotine products.

Proposed law provides that any applicant for a tobacco retail license shall demonstrate compliance with any municipal or parish ordinances if applicable.

(Adds R.S. 26:911(A)(7))