STATE OF NEW YORK

3356

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring electronic cigarettes and e-liquid products to be sold in separate specific locations where only persons of at least twenty-one years of age are allowed to enter

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 7 of section 1399-cc of the public health law, as amended by chapter 100 of the laws of 2019, is amended and a new subdivision 8 is added to read as follows:

7. No person operating a place of business wherein tobacco products, herbal cigarettes, [~~liquid nicotine,~~] or shisha [~~or electronic cigarettes~~] are sold or offered for sale shall sell, permit to be sold, offer for sale or display for sale any tobacco product, herbal cigarettes, [~~liquid nicotine,~~] or shisha [~~or electronic cigarettes in any manner~~], unless such products and cigarettes are stored for sale (a) behind a counter in an area accessible only to the personnel of such business, or (b) in a locked container; provided, however, such restriction shall not apply to tobacco businesses, as defined in subdivision eight of section thirteen hundred ninety-nine-aa of this article, and to places to which admission is restricted to persons twenty-one years of age or older.

8. No person operating a place of business wherein liquid nicotine or electronic cigarettes are sold or offered for sale shall sell, permit to be sold, offer for sale or display for sale any liquid nicotine or electronic cigarettes unless such place of business is a place to which admission is restricted to persons twenty-one years of age or older.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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