§ 1399-hh. Tobacco and vapor product enforcement. The commissioner shall develop, plan and implement a comprehensive program to reduce the prevalence of tobacco use, and vapor product, intended or reasonably expected to be used with or for the consumption of nicotine, use particularly among persons less than twenty-one years of age. This program shall include, but not be limited to, support for enforcement of this article.

1. An enforcement officer, as defined in section thirteen hundred ninety-nine-t of this chapter, may annually, on such dates as shall be fixed by the commissioner, submit an application for such monies as are made available for such purpose. Such application shall be in such form as prescribed by the commissioner and shall include, but not be limited to, plans regarding random spot checks, including the number and types of compliance checks that will be conducted, and other activities to determine compliance with this article. Each such plan shall include an agreement to report to the commissioner: the names and addresses of tobacco retailers and vendors and vapor products dealers determined to be unlicensed, if any; the number of complaints filed against licensed tobacco retail outlets and vapor products dealers; and the names of tobacco retailers and vendors and vapor products dealers who have paid fines, or have been otherwise penalized, due to enforcement actions.

2. The commissioner shall distribute such monies as are made available for such purpose to enforcement officers and, in so doing, consider the number of licensed vapor products dealers and retail locations registered to sell tobacco products within the jurisdiction of the enforcement officer and the level of proposed activities.

3. Monies made available to enforcement officers pursuant to this section shall only be used for local tobacco and vapor product, intended or reasonably expected to be used with or for the consumption of nicotine, enforcement activities approved by the commissioner.