



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 97

PRINTERS NO. 99

PRIME SPONSOR: Rapp

COST / (SAVINGS)

FUND	FY 2018/19	FY 2019/20
General Fund	\$0	\$0

SUMMARY:

House Bill 97, Printer's Number 99 amends Sections 6305 (Sale of tobacco, nicotine products and nicotine delivery systems to minors) and 6306.1 (Use of tobacco, nicotine products or ENDS in schools prohibited) of Title 18 (Crimes and Offenses) by prohibiting the sale, purchase or use of nicotine products or nicotine delivery systems by minors or pupils in schools.

ANALYSIS:

HB 97 amends the Crimes Code by adding "nicotine products or ENDS" to various subsections in Section 6305, prohibiting the sale, the purchase of tobacco products, nicotine products or ENDS to a minor. Section 6305 further amends the definitions of "Retailer" and "Vending machine", as well as, adding the definitions of "Electronic cigarette," "Electronic nicotine delivery system" or "ENDS," and "Nicotine product."

In addition, Section 6306.1 is amended to prohibit the possession or use of nicotine products or ENDS by a pupil in a school building, a school bus or on school property owned by, leased by or under the control of a school district. The section is further amended by adding the definitions of "Electronic cigarette," "Electronic nicotine delivery system" or "ENDS," and "Nicotine product." The definition of "Tobacco" is updated to include cigarillo, little cigars and provides clarification that smokeless tobacco includes chewing tobacco, snuff, dip or dissolvable tobacco pieces.

This legislation would take effect in 60 days.

FISCAL IMPACT:

Enactment of this legislation will have no adverse fiscal impact on Commonwealth funds.

A violation Title 18, Section 6305 and 6306.1 would result in an individual being charged with a summary offense, with penalties/fines outlined in Section 6305(b) and 6306.1 (b).

PREPARED BY: Jenny P. Stratton
House Appropriations Committee (R)

DATE: March 21, 2019

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.