



New York State YMCA
Youth And Government

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FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Freedom 4

Bill #:SF-25

Sponsors: Tommy Mahunik and Andrew Patterson

An Act To Amend § 1399-cc of the Public Health Law to create a punishment for anyone under twenty one years of age that are found with vaping products to have a fine of fifty dollars for the first offense, one hundred dollars for the second offense, and two hundred dollars for the third offense and this fine will double if not paid after two months.

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

Purpose The purpose of this bill is to create a punishment for anyone who is under twenty-one years of age possessing vaping products

Summary of Provisions

Section 1

Sale means to sell, exchange, give or dispose of to another, or to offer or agree to do the same.

Section 2

§ 1399-cc. Sale of tobacco products, herbal cigarettes, liquid nicotine, shisha, rolling papers or smoking paraphernalia to minors
Prohibited as well as the possession of vaping products
7. No person operating a place of business wherein tobacco products, herbal cigarettes, liquid nicotine, 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, 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. It is unlawful for any person not over twenty-one years of age to possess vaping products such as pods, devices, and chargers, and any person not over twenty-one years of age that is found in possession of these such devices are subject to a penalty of fifty dollars for the first offense, one-hundred dollars for the second offense, and two hundred dollars for the third offense, if the fine is not paid within two months, it will then double.



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Justification Vaping has become a very common problem among teens and young adults. People are beginning to fall ill and even die from this addicting habit. Most of the vaping related problems are affecting people who are under twenty-one years of age because they are not able to comprehend what effects using these devices might have. By creating a fine for people who are under twenty-one years of age possessing vaping products, this will deter them from getting and using these devices.

Fiscal Implications This bill is intended to be revenue positive, but around three hundred and fifty million dollars per year for New York State Troopers and one million four hundred and three thousand two hundred and twenty-seven dollars per year for judges currently

Environmental Implications It will lessen the amount of heavy metals and residual nicotine that gets into the environment and it will reduce the amount of plastic that is left from litter.

Effective Date Six months after passage