

# Gov. Pritzker Signs Legislation Preventing Underage Electronic Cigarette Sales

August 25 2021 8:33 AM



CHICAGO — Building on efforts to protect the health and wellbeing of young people in Illinois, Gov. Pritzker signed Senate Bills 512 and 555 into law. The legislation establishes regulations on electronic cigarettes by prohibiting marketing that targets children and ensuring retailers' compliance with the state's minimum purchasing age of 21.

“This legislation will make our communities healthier places to live, and most importantly, will save lives,” said Governor JB Pritzker. “I’m proud that Illinois is taking yet another step toward protecting the health and safety of our young residents from tobacco and e-cigarettes and I want to thank Attorney General Raoul, our partners in the General Assembly, as well as the advocates and organizations for their work to make these laws possible.”

“The need to prevent youth e-cigarette use has never been more urgent, and the Preventing Youth Vaping Act gives us the tools to stop e-cigarette companies from marketing and advertising to minors,” Attorney General Kwame Raoul said. “Our work does not end today. This law is a significant step forward in what must be a comprehensive approach to protecting young people from the dangers of using e-cigarettes and other tobacco products. I would like to thank Sen. Morrison and Rep. Morgan for their leadership, and I appreciate Gov. Pritzker’s action to codify the Preventing Youth Vaping Act into law. I look forward to our continued collaboration as my office continues to investigate the e-cigarette industry and hold accountable manufacturers who market their products to teens and young adults.”

Gov. Pritzker signed legislation raising the legal age for purchasing cigarettes, e-cigarettes and other tobacco products in Illinois from 18 to 21 in 2019, prior to the passage of the federal Tobacco 21 law.

## **SB 512**

SB 512 prohibits the use of cartoons, video game characters, and popular children’s media to promote e-cigarette products. It also forbids sellers from marketing e-cigarettes as a low-risk product.

In order to ensure compliance, the legislation will give the Attorney General's office and law enforcement agencies criminal and civil authority to hold violators accountable.

Additionally, the legislation mandates sellers take additional precautions to ensure the buyer is over 21 years of age, including requiring that online orders are paid through a credit card or a check in the consumer’s name. The sale of e-cigarettes containing specific harmful chemicals and additives is also prohibited.

Electronic cigarettes, or “e-cigarettes,” are defined as products that employ a battery or other mechanism to heat a substance that produces vapor or aerosol intended for inhalation, including vape pens, electronic cigars, electronic cigarillos, electronic pipes, and electronic hookahs.

“Vaping- and e-cigarette-related deaths and illnesses have become a nationwide outbreak that no user is immune to — no matter how young they are,” said State Senator Julie A. Morrison (D-Lake Forest). “We must continue to change the culture of smoking – especially for younger generations. The Preventing Youth Vaping Act is another step toward keeping these harmful products out of the hands of children.”

“Especially in the wake of the COVID-19 pandemic, I believe we must do everything we can to protect the lung health of our young people,” said State Representative Bob Morgan (D-Deerfield). “The Prevent Youth Vaping Act is a critical first step in helping the next generation live smoke and vape free.”

## **SB 555**

SB 555 amends the Substance Use Disorder Act to include vape shops, allowing the Illinois Department of Human Services (IDHS) to conduct compliance checks on the sale of e-cigarettes in accordance with the minimum purchasing age of 21 years.

The legislation also allows underage individuals to test retailer’s compliance under the supervision of law enforcement as a part of a compliance check without violating state and federal tobacco laws.

“We had made positive steps toward changing the culture surrounding tobacco use in children, but the vaping and e-cigarette business put us a step back,” said State Senator Melinda Bush (D-Grayslake). “This is a commonsense push toward ensuring all tobacco products – regardless of if they’re cigarettes or vapes – are kept away from our most vulnerable population.”

“With teen vaping on the rise, it is important that we make sure there are safeguards in place to hold businesses accountable that attempt to sell to minors,” said State Representative Jaime Andrade (D-Chicago). “The signing of Senate Bill 555 will empower our communities with an important tool to combat teen tobacco use and keep our children safe and healthy.”

SB 512 and SB 555 are effective January 1, 2022.