

House Political Subdivisions Committee
SB 2156: Senator Michael Dwyer, District 47

SB 2156 changes ND's law relating to the purchase and use of tobacco and tobacco products, from the age of 18 to the age of 21. If passed, we will join 33 other states that have raised the tobacco age from 18-21, including the states of SD and Minnesota. We will be the 34th state, unless Montana beats us to it as they are considering the very same legislation.

Occasionally the federal government does something good, and that was the passage of what is known as T21, which the President of the United States signed in December, 2019. This was the result of the tobacco industry, law enforcement, health and medical professionals, the education community, and others coming together and asking the federal Congress to pass T21. Some states had already raised the age for purchasing and using tobacco products before the federal T21, and many states have done so since 2019.

I don't need to go into the health issues related to smoking and using tobacco products. Those enormous costs to society, our medical costs, our health insurance premiums, and the health of individuals are well documented. I won't belabor the endless statistics.

Since our nation, and North Dakota, have embarked on education programs to lower the number of people that smoke, and particularly teens, we have reduced the teenage rate of smoking from near 30% to single digits. However, the rate of teenage usage of vaping and similar products is over 30%.

There are many benefits and reasons for supportive SB 2156.

1. First, it will make our law consistent with the purchase and use of alcohol products. That is age 21, and you may recall some time ago that states experimented with lowering the age of alcohol to 18 or 19, but promptly reversed course and returned to age 21 for alcohol

products. These states recognized the adverse consequences of lowering the alcohol age.

2. Second, it will make our law consistent with the federal law, which was requested by both law enforcement and state's attorneys, to avoid confusion in these areas.
3. Third, this bill will also slow the use of vaping and similar products of those between 18 and 21. Vaping suppliers can provide those products to kids/young adults now over the internet because our law is at age 18.
4. Fourth, many high school students are 18. Our state law allows a high school student to purchase and use tobacco products. However, we all know that if a high school student gets caught using tobacco, they are suspended from extracurricular activities for 6 weeks for the first offense, and for the entire year for the second offense. It seems we ought to recognize what our schools have recognized for some time, and change our law accordingly.
5. Finally, it just makes sense. To the extent that we can discourage young adults from using a product that is not only detrimental to health but also extremely addictive, we are better off.

One argument against T21 is the age of 18 can both vote, and join the military. If they can be part of our armed forces, they should be able to make these decisions on their own. However, that same argument would apply to alcohol products, and further, we are strengthening our military by having our young men and women who join, hold off on using addictive substance.

I will highlight a few provisions of the bill.