



ND Petroleum Marketers Association
ND Retail Association



Testimony- SB 2156

January 13, 2021- Senate Judiciary Committee

Madam Chair Larson and Members of the Senate Judiciary Committee:

For the record, I'm Mike Rud, President of the North Dakota Petroleum Marketers and ND Retail Association. Our Membership represents well over 700 retail store fronts in North Dakota selling tobacco products. These businesses continue to do all they can to make sure tobacco products are being sold to legal age adults. Our Association urges a **"DO PASS"**

recommendation on SB 2156.

What is most important to retailers is doing away with confusion at the local, state, regional and federal levels relating to age requirements. In late December 2019, retailers had a first-hand experience with just how concerning a patchwork of laws regarding the sales of tobacco products can for business owners and consumers alike.

Congress passed the T21 legislation which took effect immediately, just before it adjourned for the Christmas Holiday. This left retailers across the nation, including those in our state, scrambling to figure out what they had to do to be in compliance. There were only a handful of

states in 2019 that had enacted T21 legislation. The rest of the states were still abiding by age 18-19 laws. There was much uncertainty over whether or not the federal law superseded state law. To heighten the hysteria, retailers were hearing stories about the FDA beginning immediate crackdowns in different areas of the country. There were also stories of local law enforcement across the country engaging in retail tobacco stings. Our office phones were ringing off the hook. Fortunately, we were finally able to get some clarity for both retailers and consumers shortly after the New Year.

Many states surrounding ND, acted quickly in 2020 legislative sessions to pass T21 legislation. Currently, Montana is the only state bordering ND that hasn't passed T21. Like ND, Montana has a bill before its legislative body as well in 2021.

Let's end the patchwork of minimum age requirements by passing T21 legislation in ND. Again,

NDPMA and NDRA urge a "DO PASS" recommendation on SB 2156.