

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1477**

Introduced by

Representative Mitskog

Senator J. Lee

1 A BILL for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota
2 Century Code, relating to prohibiting the sale of flavored e-liquid to minors; to amend and
3 reenact subsection 1 of section 12.1-31-03 of the North Dakota Century Code, relating to
4 prohibiting the sale of tobacco to minors; and to provide a penalty.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 1 of section 12.1-31-03 of the North Dakota
7 Century Code is amended and reenacted as follows:

- 8 1. a. It is ~~an infraction~~ a class B misdemeanor for any person to sell or furnish to a
9 minor, or procure for a minor, cigarettes, cigarette papers, cigars, snuff, tobacco
10 in any other form in which it may be utilized for smoking or chewing, electronic
11 smoking devices, or alternative nicotine products. As used in this subdivision,
12 "sell" includes dispensing from a vending machine under the control of the actor.
- 13 b. It is an infraction for any person to display or offer for sale cigarettes, cigarette
14 papers, cigars, snuff, tobacco in any other form in which it may be utilized for
15 smoking or chewing, electronic smoking devices, or alternative nicotine products
16 through a self-service display. This subdivision does not apply to a:
- 17 (1) Vending machine or other coin-operated machine that is permitted under
18 section 12.1-31-03.1; or
- 19 (2) Self-service display that is located in a tobacco specialty store.

20 **SECTION 2.** A new section to chapter 12.1-31 of the North Dakota Century Code is created
21 and enacted as follows:

22 **Sale of flavored e-liquid to minors prohibited - Penalty.**

- 23 1. A person may not sell, offer for sale, or distribute in this state any flavored e-liquid or
24 electronic smoking device containing flavored e-liquid to a minor.

- 1 2. A person that violates subsection 1 and is not a manufacturer is subject to a fine of
- 2 five hundred dollars for each individual package of flavored e-liquid product or
- 3 electronic smoking device containing flavored e-liquid sold or offered for sale.