



TOBACCO FREE KANSAS
COALITION

February 9, 2023

Rep. Will Carpenter, Chairman
Kansas House Federal and State Affairs Committee
Re: Neutral Testimony on HB 2269

Thank you for this opportunity to provide testimony to this committee. On behalf of the Tobacco Free Kansas Coalition Board of Directors and nearly 300 members across the state, TFKC is providing neutral testimony on HB 2269. This is due to items that we see as counterbalancing the value to Kansas youth of raising the state's minimum legal age of tobacco sale to 21, technically aligning with current federal law.

1. TFKC notes that HB 2269 retains current penalties on youth for purchase, use and possession (PUP) of tobacco products. Evidence indicates that penalizing youth is not an effective tobacco control strategy. Penalties for youth may divert attention from more effective tobacco control strategies, like strengthening retailer penalties who illegally sell tobacco, e cigarettes and other nicotine products to youth. It relieves the tobacco industry of responsibility for its marketing practices and retailers' irresponsible sale to minors.
2. We recommend the addition of e-cigarettes to the definitions of "smoke" and "smoking". Secondhand vape aerosol particles, like secondhand smoke, are harmful to people who inhale them because they contain a variety of harmful chemicals, including nicotine, heavy metals, aldehydes, glycerin, and flavoring substances that are inhaled by people who do use e-cigarettes but are present where others are¹. This will strengthen the Kansas Clean Indoor Air Act, as well as ensure definitions include emerging harmful tobacco and nicotine products.

The state's recent \$9.9 million settlement against JUUL "was the result of an investigation in which former Kansas Attorney General Schmidt found JUUL willfully engaged in advertising campaigns appealing to youth that included launch parties, free samples and using knowingly ineffective age verification techniques for online sales. We shouldn't hold kids responsible for our failure to protect them.

Thank you for your consideration,

A handwritten signature in black ink that reads "Sara Prem". The signature is fluid and cursive, with the first name "Sara" and the last name "Prem" clearly distinguishable.

Sara Prem
President, Tobacco Free Kansas Coalition

ⁱ National Academies of Science, Engineering and Medicine. (2018) "Public Health Consequences of E-Cigarettes." January 2018. <https://www.nap.edu/resource/24952/012318ecigaretteConclusionsbyEvidence.pdf>

ⁱⁱ https://ag.ks.gov/docs/default-source/consumer-judgments/2022/2022-12-07-fs-consent-judgment.pdf?sfvrsn=828fa21a_12