

FROM THE DESK OF

I ACCEPT THAT LLC

February 11, 2025

Re:HB2094

To: House Federal & State Affairs Committee

Chairman and members of the House Fed & State Affairs committee my name is Eric Kueser, owner of I Accept That LLC, and I am here to testify in Support of HB2094. My company operates two health and wellness stores in Topeka. I started a vending machine business to sell nicotine vapes, electronic cigarettes. I want to make one thing very clear right away, this bill has absolutely nothing to do with CBD, THC, or any other intoxicating products sold in CBD stores, this is just about Nicotine.

Last fall, I had opened my second store, I had made top the 10 of all franchise stores for a year. I had taken the top multi store owner spot, my wife and I were doing great financially. We had mastered our franchise model and were looking for a new business venture to expand into. I had researched several online opportunities looking into franchise ideas, that's when an ad came across my Facebook for a newer company that was building and selling wall hanging vending machines for tobacco products. I did a ton of research on them, specs of the machine, profitability, and legality of them. My wife absolutely loved the idea of doing this, until we talked to John at the Department of Revenue. While some people at the KDOR considered this a grey area, one person did not. That person pointed me to a statute covering cigarette vending machines written in the 70s, that clearly states that nothing can be sold out of a legal vending machine besides a pack of 20 class A cigarettes. I would assume this was put into place to keep candy, medicine and personal hygiene products from being sold in the same machine. This law also prevented cigars and smokeless tobacco from being sold out of the machines as well. That KDOR employee then informed me that while he cannot and will not issue me a vending permit, he suggested getting the law changed, and that is why I am here.

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Basically, all I am asking is that we bring our vending machine law into modern times. If a gas station can sell, vapes, electronic cigarettes or e-cigs why should vending be any different. All the same rules apply to nicotine products, and all of my machines, have upgraded technology as well, the machines have an ID scanner for proof of age and a facial recognition camera on them for verification that the person using the ID is the same. This ensures anyone using the machine is over 21 and have a valid id verifying who they are and that they match the ID being used.

Given how technology seems to impact everything it only makes sense it would impact cigarette vending machines. Really HB2094 just brings the Kansas statute to be able to cover the latest technology being used. The same rules apply and the same check are in place to make sure no one is buying tobacco products unless they are 21 years old and have proof.

Thank for your time and your consideration of HB2094. I ask that when the committee discusses this bill that you will vote to pass HB2094 favorably out of committee. Passing HB2094 will allow Kansas law to be updated with the technology that is already available and being sold by retailers throughout the state, and allow an entrepreneur a chance at expanding the company he started. Thank you again and I will stand for questions when appropriate.

Eric sL. Kueser, Owner
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