



**Testimony by Sara Prem, American Lung Association in Kansas and Greater Kansas City  
To House Committee on Federal and State Affairs  
Opponent for HB 2094**

Chairman Kessler and Members of the Committee

The American Lung Association in Kansas is pleased to provide this testimony today encouraging the committee to not recommend HB 2094 favorably for passage. Instead of creating additional distribution channels for e-cigarette devices, batteries and cartridges, we would recommend removing tobacco vending machines as a distribution channel entirely. In 2020, tobacco prevention advocates including the American Lung Association in Kansas sought to do just that as part of a larger bill created to prevent youth initiation of tobacco and nicotine use. We would be happy to work with the legislature again on a similar effort.

It is estimated there are some 200 tobacco vending machines statewide. While Kansas statute dictates the locations where tobacco vending machines are allowed, vending machines in public spaces can inadvertently increase the risk of underage access. The addition of e-cigarettes to vending machines will no doubt bring an increased enticement for underage individuals to find ways to circumvent restrictions.

Adding a new distribution channel for e-cigarette devices, batteries and cartridges, even under the current restriction to 21 and over venues, is problematic for several reasons:

- Preferred product for youth - E-cigarettes and vaping devices are the number one type of tobacco product used by youth in Kansas.
- Nicotine is highly addictive – E-cigarettes contain large amounts of nicotine, a highly addictive substance which is particularly potent when exposed to the still developing brains of youth.
- Dangerously attractive – E-cigarette vending machines are designed to attract attention with brightly colored, digital displays highlighting various flavors of product that attract youth. As proven by the recent Juul settlement - a \$9.9 million settlement to the of Kansas resolving an investigation of allegations e-cigarette manufacturer Juul Labs engaged in deceptive marketing and sales practices appealing to youth who couldn't legally purchase the product- youth are being targeted by the tobacco industry's advertising and marketing efforts.

A research paper entitled, [Impact of Total Vending Machine Restrictions on US Young Adult Smoking](#) - PMC suggests that total vending machine restrictions appear to be an effective, yet highly underutilized, means of tobacco prevention among youth. Research examining vending machine restrictions has focused upon underage access, adolescent perceptions of availability,

and subsequent smoking. The potential for total vending machine restrictions, which extend to adult-only facilities, to influence patterns of smoking among those not of legal age, remains significant. Such policies are an underutilized policy mechanism to prevent smoking among youth and young adults.

Rather than see e-cigarette cartridges and batteries added to vending machines in Kansas, we continue to advocate for policies that remove tobacco vending machines as a distribution channel all together. I urge the Committee to not recommend HB 2094 favorably for passage.

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