



February 10, 2025

Senator Tom Kessler
Chair, Committee on Federal and State Affairs

RE: HB 2094 / Letter of Opposition

Mister Chair and Members of the Committee,

The American Cancer Society Cancer Action Network (ACS CAN) is the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society. Our mission is to "Advocate for evidence-based public policies to reduce the cancer burden for everyone." To that end, ACS CAN will continue to prioritize policies that help every Kansan prevent, find, treat and survive cancer. We are here today to oppose HB 2094; legislation that will increase access to tobacco.

In 2024, e-cigarettes were the most used tobacco product among middle and high school students throughout the United States. Of those students who currently use e-cigarettes, almost 88% report using flavored products, 56% use disposable e-cigarettes, and 26% reported using e-cigarettes every day. Most e-cigarettes contain nicotine, a highly addictive and toxic substance. Nicotine poses unique dangers to youth in several notable ways: nicotine can harm brain development which continues until about age 25; youth show signs of nicotine addiction quickly, sometimes before the start of regular or daily use; using nicotine during adolescence can harm the parts of the brain that control attention, learning, mood, and impulse control. Despite some support for e-cigarette use as a tool for cessation, the FDA has not approved any e-cigarette products to help people quit smoking.

HB 2094 enables the sale of e-cigarettes, devices used to vaporize liquid nicotine, cartridges and batteries through vending machines. ACS CAN opposes selling any tobacco products using vending machines including e-cigarettes; studies show that tobacco use is associated with both exposure to retail advertising and relatively easy in-store access to tobacco products. Youth are especially affected by tobacco marketing in the retail environment. Advertising and promotional efforts by tobacco companies influence the initiation and progression of tobacco use among young people. Frequent exposure to tobacco product advertising and retail marketing over time normalizes tobacco and smoking for youth and makes them more likely to smoke¹.

Big tobacco spent an estimated \$70 million in 2022 on marketing their products to Kansans; to counter those efforts, lawmakers must commit to investing significantly in proven tools to fight tobacco addiction and prevent new users. HB 2094 does not do that.

Thank you for the consideration.

Megan Word
Government Relations Director, Kansas
American Cancer Society Cancer Action Network

ⁱ <https://truthinitiative.org/research-resources/tobacco-industry-marketing/truth-about-tobacco-industry-and-retail-environment#:~:text=Studies%20show%20that%20tobacco%20use,them%20more%20likely%20to%20smoke.>