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MEMORANDUM

To: Chairperson Thompson
Members of the Senate Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: January 27, 2026

Subject: SB 355 – Creating new license requirements for the manufacture, distribution, and sale of electronic cigarettes.

Senate Bill No. 355 (SB 355) would amend the Kansas Cigarette and Tobacco Products Act (Act) to add licensure requirements for the manufacture, distribution, and sale of electronic cigarettes. The Act regulates the sale of cigarettes and tobacco products in Kansas. Current law already requires any person engaged in selling electronic cigarettes to have a license. Additionally, several of the prohibitions on sales, such as sales to individuals under 21 years of age, also apply to electronic cigarettes.

First, SB 355 would add electronic cigarettes to various provisions in the Act to bring the sale of electronic cigarettes under most of the same regulations as the sale of cigarettes and tobacco products. This includes adding the term to K.S.A. 79-3373 with respect to licensed cigarette distributors. Additionally, the bill amends K.S.A. 79-3333 to add a new subsection to require all licensed wholesale dealers, distributors, and retailers to only purchase cigarettes, electronic cigarettes, smokeless tobacco, and roll-your-own tobacco from licensed manufacturers, wholesale dealers, and distributors. Also, such manufacturers, wholesale dealers, and distributors would be required to only sell such products to licensed wholesale dealers, distributors, and retailers.

Second, SB 355 creates a new licensure requirement for electronic cigarette manufacturers. New section 1 establishes this new requirement for such manufacturers who engage in sales of electronic cigarettes in Kansas. The fee for such license is \$500 each year. The bill also adds a definition for “electronic cigarette manufacturer” to the Act.

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Finally, SB 355 would require the Department of Revenue to publish a list of those persons who have been issued a license under the Act, but who have had their license suspended or revoked. The list would include the date of such suspension or revocation and the anticipated date of reinstatement, if any. This would be in addition to the current requirement to publish a list of all active licensees.

If enacted, SB 355 would become effective on July 1, 2026.