

AMENDMENTS TO LB840

(Amendments to E & R amendments, ER180)

Introduced by Quick, 35.

1 1. Strike sections 4 and 5 and insert the following new sections:

2 Sec. 4. Electronic smoking device means an electronic nicotine
3 delivery system as defined in section 28-1418.01. The term includes any
4 such device regardless of whether it is manufactured, distributed,
5 marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape
6 pen or under any other product name or descriptor. The term also includes
7 any substance that is used in an electronic smoking device. The term does
8 not include a diffuser, humidifier, prescription inhaler, or similar
9 device.

10 Sec. 5. (1) Electronic smoking device retail outlet means a store
11 that:

12 (a) Is licensed as provided under sections 28-1421 and 28-1422;

13 (b) Sells electronic smoking devices and products directly related
14 to electronic smoking devices;

15 (c) Does not sell alcohol or gasoline;

16 (d) Derives no more than twenty percent of its revenue from the sale
17 of food and food ingredients as defined in section 77-2704.24; and

18 (e) Prohibits persons under twenty-one years of age from entering
19 the store in accordance with subsection (2) of this section.

20 (2)(a) Prior to January 1, 2022, an electronic smoking device retail
21 outlet shall not allow a person under twenty-one years of age to enter
22 the store but may allow an employee who is under twenty-one years of age
23 to work in the store.

24 (b) On and after January 1, 2022, an electronic smoking device
25 retail outlet shall not allow a person under twenty-one years of age to
26 enter the store and shall not allow an employee who is under twenty-one

1 years of age to work in the store.