

ONE HUNDRED SIXTH LEGISLATURE - SECOND SESSION - 2020
COMMITTEE STATEMENT
LB1064

Hearing Date: Monday February 03, 2020
Committee On: General Affairs
Introducer: Briese
One Liner: Change provisions relating to the sale and use of tobacco products

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:
Aye: 8 Senators Arch, Blood, Brandt, Hunt, Briese, Lowe, Moser, Wayne
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents:

Senator Tom Briese
Maggie Ballard
Kathy Siefken

Andy Hale
Tim Keigher

Meghan Stoppel

Representing:

Introducer
Heartland Family Services
Nebraska Grocery Industry Association and Nebraska
Retail Federation
Nebraska Hospital Association
Nebraska Petroleum Marketers & Convenience Store
Association
Nebraska Attorney General's Office

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB1064 would raise the legal age for use of cigarettes, cigars, electronic nicotine delivery systems (ENDS), alternative nicotine products, or tobacco in any form to 21 years of age. This would bring Nebraska in compliance with Federal Law, which raised the legal age for use of such products to 21.

Section by Section Summary:

Section One of the Bill: Amends section 28-1418 to raise the age from nineteen to twenty one to smoke cigarettes or cigars, use electronic nicotine delivery systems, alternative nicotine products, or tobacco in any form.

Section Two of the Bill: Amends section 28-1418.01 to raise the age a person may enter the premises of a tobacco specialty store without a parent or legal guardian to twenty one.

Section Three of the Bill: Amends section 28-1419 to make it a class III misdemeanor to sell, give, furnish any tobacco, cigarettes, cigarette paper, electronic nicotine delivery systems, or alternative nicotine product to anyone under twenty one.

Section Four of the Bill: Amends section 28-1421 authorizing a license for sale of cigars, tobacco, electronic nicotine delivery systems, cigarettes and cigarette material to persons twenty one years of age or over.

Section Five of the Bill: Amends section 28-1424 authorizing the license provided in section 28-1421 and 28-1422 to authorize the sale of cigars, tobacco, electronic nicotine delivery systems, cigarettes, and cigarette material by the licensee and employees, to persons twenty one years of age or over at the place of business described in such license.

Section Six of the Bill: Amends section 28-1425 to specify that any licensee who shall sell, give, furnish, or willingly allow to be taken from his or her place of business by persons under the age of twenty one any cigars, tobacco, cigarettes, cigarette material, electronic nicotine delivery systems is guilty of a class III misdemeanor.

Section Seven of the Bill: Amends section 28-1427 to create a Class V misdemeanor to anyone under the age of twenty one who obtains cigars, tobacco, cigarettes, cigarette material, electronic nicotine delivery systems, or alternative nicotine products from a licensee by representing that he or she is of the age of twenty one.

Section Eight of the Bill: Provides an operative date of June 1, 2020.

Section Nine of the Bill: Repeals the original sections.

Section Ten of the Bill: Declares an emergency.

Tom Briese, Chairperson