



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2744

Introduced 2/4/2020, by Sen. Jason Plummer

#### SYNOPSIS AS INTRODUCED:

720 ILCS 677/Act title  
720 ILCS 677/1  
720 ILCS 677/5  
720 ILCS 677/10.5 new  
720 ILCS 677/11 new

Amends the Display of Tobacco Products Act. Changes the title of the Act to the Display of Tobacco Products and E-Liquid Regulation Act. Provides that the sale of e-liquids containing a nicotine level above 20 milligrams per milliliter is permitted only within an adult-only facility. Provides that as a condition to sell electronic cigarette products, retailers shall display a mandatory warning sign warning consumers not to use electronic cigarette products to consume unregulated THC electronic cigarette substances. Provides that mandatory warning signs shall be posted at all entrances or in a position clearly visible on entry into the retail location and at each register inside the retailer location where the electronic cigarette product transaction or sale occurs. Provides that mandatory warning signs shall be created by the Illinois Department of Public Health. Describes the contents and size of the warning signs. Provides that a violation of these provisions is a petty offense for which the court shall impose a fine of not less than \$100 nor more than \$1,000. Defines various terms.

LRB101 15255 RLC 64429 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Display of Tobacco Products Act is amended  
5 by changing the title of the Act and Sections 1 and 5 and by  
6 adding Sections 10.5 and 11 as follows:

7 (720 ILCS 677/Act title)

8 An Act in relation to tobacco products and e-liquids.

9 (720 ILCS 677/1)

10 Sec. 1. Short title. This Act may be cited as the Display  
11 of Tobacco Products and E-Liquid Regulation Act.

12 (Source: P.A. 93-886, eff. 1-1-05.)

13 (720 ILCS 677/5)

14 Sec. 5. Definitions. In this Act:

15 "Electronic cigarette" has the meaning ascribed to it in  
16 Section 1 of the Prevention of Tobacco Use by Persons under 21  
17 Years of Age and Sale and Distribution of Tobacco Products Act.

18 "Alternative nicotine product" has the meaning ascribed to  
19 it in Section 1 of the Prevention of Tobacco Use by Persons  
20 under 21 Years of Age and Sale and Distribution of Tobacco  
21 Products Act.

1 "Line of sight" means visible to a cashier or other  
2 employee.

3 "Age restricted area" means a signed designated area in a  
4 retail establishment to which persons under 21 years of age are  
5 not permitted access unless accompanied by a parent or legal  
6 guardian.

7 "Adult-only facility" has the meaning ascribed to it in  
8 Section 1 of the Prevention of Tobacco Use by Persons under 21  
9 Years of Age and Sale and Distribution of Tobacco Products Act.

10 "E-liquid" means a liquid composed of nicotine and other  
11 chemicals and which is sold as a product that may be used in an  
12 electronic cigarette.

13 "Retailer" has the meaning ascribed to it in Section 10-5  
14 of the Tobacco Products Tax Act of 1995.

15 "Department" means the Illinois Department of Public  
16 Health.

17 (Source: P.A. 101-2, eff. 7-1-19.)

18 (720 ILCS 677/10.5 new)

19 Sec. 10.5. Sale of e-liquids with high nicotine content.  
20 The sale of e-liquids containing a nicotine level above 20  
21 milligrams per milliliter is permitted only within an  
22 adult-only facility.

23 (720 ILCS 677/11 new)

24 Sec. 11. Mandatory warning signs.

1       (a) As a condition to sell electronic cigarette products,  
2       retailers shall display a mandatory warning sign, warning  
3       consumers not to use electronic cigarette products to consume  
4       unregulated THC electronic cigarette substances. Mandatory  
5       warning signs shall be posted at all entrances or in a position  
6       clearly visible on entry into the retail location and at each  
7       register inside the retailer location where the electronic  
8       cigarette product transaction or sale occurs.

9       (b) Mandatory warning signs shall be created by the  
10       Department. A mandatory warning sign required by this Section  
11       must be easily readable and must not be obscured in any way.  
12       The mandatory warning sign must state "Vaping unregulated THC  
13       is dangerous to your health. A lung disease related to vaping  
14       unregulated THC has recently hospitalized dozens of  
15       Illinoisans and caused many deaths nationwide.". The words  
16       "Vaping unregulated THC is dangerous to your health" must be no  
17       less than 0.75 inches in height and the words "A lung disease  
18       related to vaping unregulated THC has recently hospitalized  
19       dozens of Illinoisans and caused many deaths nationwide" must  
20       be no less than 0.25 inches in height.