

AN ACT
D.C. ACT 21-545

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 29, 2016

To amend An act to prohibit the sale of tobacco to minors under sixteen years of age in the District of Columbia to prohibit tobacco sales to individuals under 21 years of age and to include electronic smoking devices within the definition of tobacco product; to amend the Smoking Regulation Amendment Act of 1990 to prohibit the otherwise permissible distribution of free tobacco products to individuals under 21 years of age and to conform the definition of tobacco product to that used in other acts; and to amend section 47-2404 of the District of Columbia Official Code to prohibit the issuance of vending machine operator's licenses for the sale of tobacco products in an establishment that admits persons under 21 years of age.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Prohibition Against Selling Tobacco Products to Individuals Under 21 Amendment Act of 2016".

Sec. 2. An act to prohibit the sale of tobacco to minors under sixteen years of age in the District of Columbia, approved February 7, 1891 (26 Stat. 736; D.C. Official Code § 7-1721.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-1721.01) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) "Tobacco product" means any product that is made from or derived from tobacco and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including through a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, snus, smokeless tobacco, or an electronic smoking device, as that term is defined in section 4915(1) of the Department of Health Functions Clarification Act of 2001, effective April 4, 2006 (D.C. Law 16-90; D.C. Official Code § 7-741.01(1)). The term "tobacco product" also includes any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, or liquids used in electronic smoking devices. The term "tobacco product" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, approved June 25, 1938 (52 Stat. 1040; 21 U.S.C. § 301 *et seq.*)".