

2017 Regular Session

HOUSE RESOLUTION NO. 155

BY REPRESENTATIVES HOFFMANN AND LEGER

A RESOLUTION

To urge and request the Louisiana Department of Health to study certain tax-related and health-related issues associated with electronic cigarettes and other vapor products, and to report the findings of the study to the House Committee on Ways and Means and the House Committee on Health and Welfare.

WHEREAS, smoking-related illnesses and deaths and their associated human and economic costs represent a devastating public health problem across the United States; and

WHEREAS, smoking is the leading cause of preventable death in our state and nation; and

WHEREAS, though smoking is an exceptionally difficult habit to break due to the powerful nature of addiction to cigarettes, thousands of Americans win the battle to quit smoking each year, many with the help of a smoking cessation program; and

WHEREAS, as provided in state statute (R.S. 26:901), "vapor product", in pertinent part, means any non-combustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means that can be used to produce vapor from nicotine in a solution or other form; and

WHEREAS, the statutory definition of "vapor product" includes any electronic cigarette; and

WHEREAS, pursuant to authority granted in the federal Tobacco Control Act of 2009, the United States Food and Drug Administration (FDA) finalized regulations in 2016 which, for the first time, would impose strict oversight of electronic cigarettes and other vapor products; and

WHEREAS, according to a brief that the FDA filed in August 2016, the percentage of high school students who use electronic cigarettes rose from one and one-half percent to thirteen and four-tenths percent from 2011 to 2014; and

WHEREAS, opponents of the FDA regulations argue that electronic cigarettes and other vapor products can help people to wean themselves off of smoking combustible forms of tobacco; and

WHEREAS, proponents of the FDA regulations argue that they are an appropriate response to a significant public health problem, and that they are necessary to curb an industry which targets dangerous products toward children.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health to study the following issues associated with electronic cigarettes and other vapor products:

(1) The rates at which electronic cigarettes and other vapor products are taxed in each U.S. state.

(2) The health impacts associated with the use of electronic cigarettes and other vapor products.

(3) Whether the use of electronic cigarettes and other vapor products should be promoted as a safe and effective means of quitting smoking.

BE IT FURTHER RESOLVED that, if requested by the secretary of the Louisiana Department of Health, the secretary of the Louisiana Department of Revenue shall assist and collaborate in the tax-related aspect of the study requested in this Resolution.

BE IT FURTHER RESOLVED that the Louisiana Department of Health shall develop a written report of findings of the study requested by this Resolution, and shall submit the report to the House Committee on Ways and Means and the House Committee on Health and Welfare no later than sixty days prior to the convening of the 2018 Regular Session of the Legislature of Louisiana.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health and the secretary of the Louisiana Department of Revenue.

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES