



Senate Fiscal Agency
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Senate Bills 653 and 654 (as reported without amendment)
Sponsor: Senator Mary Cavanagh (S.B. 653)
Senator Paul Wojno (S.B. 654)
Committee: Regulatory Affairs

CONTENT

Senate Bill 654 would amend the Youth Tobacco Act to remove provisions penalizing a minor under the age of 21 for possessing, purchasing, or attempting to possess or purchase a tobacco, vapor, or alternative nicotine product. Currently, the Act prohibits a minor under the age of 21 from purchasing, attempting to purchase, possessing, attempting to possess, or using in a public place a tobacco, vapor, or alternative nicotine product. It also prohibits a minor from presenting a proof of age that is false for the purpose of any of these activities. An individual in violation of these provisions is guilty of a misdemeanor or State civil infraction and a maximum of a \$50 fine as well as other punishments for further offenses. The bill would remove these punishments.

Senate Bill 653 would amend the Age of Majority Act to specify that the Act would not apply to the Michigan Regulation and Taxation of Marihuana Act (MRTMA).

MCL 722.52 et al. (S.B. 654)
722.641 et al. (S.B. 653)

Legislative Analyst: Nathan Leaman

BRIEF RATIONALE

According to testimony, Michigan is one of only 10 states that doesn't require a retailer to have a license to sell tobacco, making the State an outlier in tobacco oversight. Testimony also indicates that the use of tobacco and vapor products among minors is a large and growing problem. Some believe the best, evidence-based deterrent of tobacco use among minors is not punishment of minors but of retailers that sell tobacco products to minors and so accordingly amending the purpose of the Youth Tobacco Act has been suggested.

FISCAL IMPACT

Senate Bill 653 would have a minor negative fiscal impact on the Department of Health and Human Services and no fiscal impact on local units of government. The Department would incur minor administrative and production costs related to the creation and provision, free of charge, of the signage required under the bill to establishments that sell vapor products or alternative nicotine products at retail. The bill could have a positive fiscal impact on local units of government. The bill would impose misdemeanor fines ranging from \$100 up to \$2,500. Revenue collected from misdemeanor fines is used to support local and county law libraries. The amount of revenue for local libraries is indeterminate and dependent on the actual number of violations.

Senate Bill 654 would have no fiscal impact on State or local courts.

Date Completed: 12-4-24

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