

As Introduced

**130th General Assembly
Regular Session
2013-2014**

S. B. No. 379

Senator Jones

Cosponsors: Senators Manning, Kearney

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A B I L L

To enact section 1349.83 of the Revised Code to ban 1
the sale of products intended for use in 2
electronic cigarettes that are not in 3
child-resistant packaging. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 1349.83 of the Revised Code be 5
enacted to read as follows: 6

Sec. 1349.83. (A) As used in this section: 7

(1) "Electronic cigarette" has the same meaning as in section 8
2927.02 of the Revised Code. 9

(2) "Child-resistant packaging" means packaging to which both 10
of the following apply: 11

(a) The packaging is designed or constructed to be 12
significantly difficult, within a reasonable time, for a child 13
under five years of age to open or to obtain a toxic or harmful 14
amount of the substance contained in the packaging. 15

(b) The packaging is not difficult for a normal adult to open 16
or to properly use the product packaged. 17

(B) No person shall sell any liquid, whether or not the 18

liquid contains nicotine, that is intended for human consumption 19
and use in an electronic cigarette that is not in child-resistant 20
packaging. The department of health shall adopt rules establishing 21
the standards for child-resistant packaging. 22

(C) This section does not apply to electronic cigarette 23
products sold in sealed, pre-filled, or disposable replacement 24
cartridges. 25

(D) Whoever violates this section shall be subject to a civil 26
penalty of up to one thousand dollars for each violation. The 27
clerk of the court shall pay the civil penalty to the county 28
treasurer for deposit into the county treasury. 29