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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2020	.	
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The Committee on Innovation, Industry, and Technology (Simmons) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Subsection (6) of section 569.002, Florida Statutes, as amended by SB 810 or similar legislation, 2020 Regular Session, is amended, and subsection (7) is added to that section, to read:

569.002 Definitions.—As used in this chapter, the term:

(6) "Tobacco products" includes:



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11 (a) Any product containing, made of, or derived from  
12 tobacco or nicotine that is intended for human consumption or is  
13 likely to be consumed, whether inhaled, absorbed, or ingested by  
14 any other means, including, but not limited to, a cigarette, a  
15 cigar, pipe tobacco, chewing tobacco, snuff, or snus;

16 (b) Any vapor-generating electronic device and any  
17 substances that may be aerosolized or vaporized by such device,  
18 whether or not the substance contains nicotine; or

19 (c) Any component, part, or accessory of a product  
20 described in paragraph (a) or paragraph (b), whether or not any  
21 of these contain tobacco or nicotine, including, but not limited  
22 to, filters, rolling papers, blunt or hemp wraps, and pipes.

23  
24 The term does not include drugs, devices, or combination  
25 products authorized for sale by the United States Food and Drug  
26 Administration, as those terms are defined in the Federal Food,  
27 Drug, and Cosmetic Act.

28 (7) "Vapor-generating electronic device" means any product  
29 that employs an electronic, chemical, or mechanical means  
30 capable of producing vapor or aerosol from a nicotine product or  
31 any other substance, including, but not limited to, an  
32 electronic cigarette, electronic cigar, electronic cigarillo,  
33 electronic pipe, or other similar device or product; any  
34 replacement cartridge for such device; and any other container  
35 of nicotine in a solution or other substance form intended to be  
36 used with or within an electronic cigarette, an electronic  
37 cigar, an electronic cigarillo, an electronic pipe, a vape pen,  
38 an electronic hookah, or other similar device or product. The  
39 term includes any component, part, or accessory of the device



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40 and also includes any substance intended to be aerosolized or  
41 vaporized during the use of the device, whether or not the  
42 substance contains nicotine. The term does not include drugs,  
43 devices, or combination products authorized for sale by the  
44 United States Food and Drug Administration, as those terms are  
45 defined in the Federal Food, Drug, and Cosmetic Act.

46 Section 2. This act shall take effect on the same date that  
47 SB 810 or similar legislation takes effect, if such legislation  
48 is adopted in the same legislative session or an extension  
49 thereof and becomes a law.

50

51 ===== T I T L E A M E N D M E N T =====

52 And the title is amended as follows:

53 Delete everything before the enacting clause  
54 and insert:

55 A bill to be entitled  
56 An act relating to fees; amending s. 569.002, F.S.;  
57 expanding the definition of the term "tobacco  
58 products" to include vapor-generating electronic  
59 devices and components, parts, and accessories of such  
60 devices and to include substances that may be  
61 aerosolized or vaporized by such devices; defining the  
62 term "vapor-generating electronic device"; providing a  
63 contingent effective date.