

1 A bill to be entitled
 2 An act relating to heated tobacco products; amending
 3 s. 210.01, F.S.; revising the definition of the term
 4 "cigarette"; amending s. 210.095, F.S.; revising the
 5 definition of the term "tobacco products"; renaming
 6 part II of ch. 210, F.S.; amending s. 210.25, F.S.;
 7 defining the term "heated tobacco product"; conforming
 8 a provision to changes made by the act; amending s.
 9 569.002, F.S.; revising the definition of the term
 10 "tobacco products"; amending s. 951.22, F.S.;
 11 conforming a cross-reference; reenacting s. 569.31(4),
 12 F.S., relating to definitions, to incorporate the
 13 amendment made to s. 569.002, F.S., in a reference
 14 thereto; providing an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

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 18 **Section 1. Subsection (1) of section 210.01, Florida**
 19 **Statutes, is amended to read:**

20 210.01 Definitions.—When used in this part the following
 21 words shall have the meaning herein indicated:

22 (1) "Cigarette" means any roll for smoking, except one of
 23 which the tobacco is fully naturally fermented, without regard
 24 to the kind of tobacco or other substances used in the inner
 25 roll or the nature or composition of the material in which the

26 roll is wrapped, which is made wholly or in part of tobacco
27 irrespective of size or shape and whether such tobacco is
28 flavored, adulterated or mixed with any other ingredient. The
29 term does not include a heated tobacco product as defined by s.
30 210.25.

31 **Section 2. Paragraph (i) of subsection (1) of section**
32 **210.095, Florida Statutes, is amended to read:**

33 210.095 Mail order, Internet, and remote sales of tobacco
34 products; age verification.—

35 (1) For purposes of this section, the term:

36 (i) "Tobacco products" means all cigarettes, smoking
37 tobacco, snuff, fine-cut chewing tobacco, cut and granulated
38 tobacco, cavendish, ~~and~~ plug or twist tobacco, and heated
39 tobacco products as defined in s. 210.25.

40 **Section 3. Part II of chapter 210, Florida Statutes,**
41 **entitled "Tax on Tobacco Products other than Cigarettes or**
42 **Cigars," is renamed "Tax on Tobacco Products other than**
43 **Cigarettes, Heated Tobacco Products, or Cigars."**

44 **Section 4. Present subsections (6) through (14) of section**
45 **210.25, Florida Statutes, are redesignated as subsections (7)**
46 **through (15), respectively, a new subsection (6) is added to**
47 **that section, and present subsection (12) of that section is**
48 **amended, to read:**

49 210.25 Definitions.—As used in this part:

50 (6) "Heated tobacco product" means a product containing

51 tobacco which produces an inhalable aerosol by heating the
 52 tobacco without combustion of the tobacco or by the heat
 53 generated from a combustion source that only heats rather than
 54 burns the tobacco.

55 (13)~~(12)~~ "Tobacco products" means loose tobacco suitable
 56 for smoking; snuff; snuff flour; cavendish; plug and twist
 57 tobacco; fine cuts and other chewing tobaccos; shorts; refuse
 58 scraps; clippings, cuttings, and sweepings of tobacco, and other
 59 kinds and forms of tobacco prepared in such manner as to be
 60 suitable for chewing; but "tobacco products" does not include
 61 cigarettes, as defined by s. 210.01(1), heated tobacco products,
 62 or cigars.

63 **Section 5. Subsection (8) of section 569.002, Florida**
 64 **Statutes, is amended to read:**

65 569.002 Definitions.—As used in this part, the term:

66 (8) "Tobacco products" includes loose tobacco leaves, and
 67 products made from tobacco leaves, in whole or in part, ~~and~~
 68 cigarette wrappers, which can be used for smoking, sniffing, or
 69 chewing, and heated tobacco products as defined in s. 210.25.

70 **Section 6. Paragraph (d) of subsection (1) of section**
 71 **951.22, Florida Statutes, is amended to read:**

72 951.22 County detention facilities; contraband articles.—

73 (1) It is unlawful, except through regular channels as
 74 duly authorized by the sheriff or officer in charge, to
 75 introduce into or possess upon the grounds of any county

76 | detention facility as defined in s. 951.23 or to give to or
 77 | receive from any inmate of any such facility wherever said
 78 | inmate is located at the time or to take or to attempt to take
 79 | or send therefrom any of the following articles, which are
 80 | contraband:

81 | (d) Any tobacco products as defined in s. 210.25 ~~s.~~
 82 | ~~210.25(12)~~.

83 | **Section 7. For the purpose of incorporating the amendment**
 84 | **made by this act to section 569.002, Florida Statutes, in a**
 85 | **reference thereto, subsection (5) of section 569.31, Florida**
 86 | **Statutes, is reenacted to read:**

87 | 569.31 Definitions.—As used in this part, the term:

88 | (5) "Nicotine product" means any product that contains
 89 | nicotine, including liquid nicotine, which is intended for human
 90 | consumption, whether inhaled, chewed, absorbed, dissolved, or
 91 | ingested by any means. The term also includes any nicotine
 92 | dispensing device. The term does not include a:

93 | (a) Tobacco product, as defined in s. 569.002;

94 | (b) Product regulated as a drug or device by the United
 95 | States Food and Drug Administration under Chapter V of the
 96 | Federal Food, Drug, and Cosmetic Act; or

97 | (c) Product that contains incidental nicotine.

98 | **Section 8.** This act shall take effect July 1, 2025.