

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	HB1265
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Request Number:	11353
Author:	Rep. Hays
Date:	2/18/2025
Impact:	\$0

Research Analysis

HB 1265, as introduced, requires manufacturers, distributors, and retailers of e-liquid and vapor products to comply with the following:

- An e-liquid bottle must use a child proof cap;
- An e-liquid bottle or a vapor product that contains e-liquid must use a tamper evident package;
- The label on an e-liquid bottle must meet the nicotine addictiveness warning statement requirements; and
- The package containing the product must contain the name and address of the manufacturer or distributor for tracking purposes.

Manufacturers, distributors, or retailers are prohibited from using specified words in marketing or labeling their products including words such as "candy", "bubble gum", and other words determined to disproportionately appeal to minors. They are also prohibited from using other images that appeal to minors such as cartoon characters, references to breakfast cereals, school supplies, and other listed prohibitions. A manufacturer, distributor, or retailer must not advertise or market their products except in a way that is consistent with labeling, does not contain health claims, cannot be within 1,000 feet of a school or related facility, and they are prohibited on social media unless the recipient has verified their age. A civil penalty may be assessed for the violation of this act in an amount that does not exceed \$5,000. The Attorney General is authorized to investigate and enforce violations of this act. The measure creates the Vapor Products Compliance Fund. This measure repeals [63 O.S. 2021, Section 1-229.35](#).

Prepared By: Suzie Nahach

Fiscal Analysis

HB 1265 outlines the requirements of manufactures, distributors, and retailers as it relates to the sale of e-liquids and vapor products. The Alcoholic Beverage Laws Enforcement (ABLE) Commission may assess a civil penalty up to Five Thousand Dollars (\$5,000) against violators and the Attorney General is authorized to bring civil action against violators and assess a penalty up to Ten Thousand Dollars (\$10,000) per violation.

The Vapor Products Compliance Fund is established for the Commission to enforce the provisions of the act. All civil penalties collected must be deposited into the Fund. Therefore, HB 1265 is anticipated to have a fiscally neutral impact on the state budget and appropriations.

Prepared By: Alexandra Ladner, House Fiscal Staff

Other Considerations

None.

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