

BILL #	Sponsor	Description	Status	Summary
HB 93	Kaye Kory; Ibraheem S. Samirah	Flavored Tobacco Products; Sale Or Distribution Prohibited, Civil Penalty.	OPPOSE H Continued to 2021 in Finance (2/5) (aka failed to pass due to VSFA lobbying).	Prohibits the sale or distribution of flavored tobacco products, defined in the bill, and creates a civil penalty of \$1,000 for a first offense and \$5,000 for a second or subsequent offense.
HB 489	Daniel W. Marshall, III	Va. Indoor Clean Air Act; Prohibitions On Smoking In Satellite Facilities.	MONITOR H Left in Counties, Cities and Towns (2/11) (aka failed to pass)	Virginia Indoor Clean Air Act; prohibitions on smoking; satellite facilities. Adds satellite facilities to the list of places where smoking is prohibited.
HB 578	Elizabeth R. Guzman; Alfonso H. Lopez; Carrie E. Coyner; et al.	Smoking; Illegal In Motor Vehicle With A Minor Present.	OPPOSE/No Position as Amended (Sponsor removed vapor products from this legislation at VSFA's request). Signed into Law by Governor (4/9)	Expands the group in the presence of whom it is illegal to smoke in a motor vehicle from minors under the age of eight to minors under the age of 15.
HB 785	Vivian E. Watts; Terry G. Kilgore; Alfonso H. Lopez; et al.	Local Taxing Authority; Equalizes City And County Taxing Authorities.	MONITOR (to ensure vapor products not affected; they were not) Signed into Law by Governor (4/22)	Modifies or eliminates several restrictions that apply to taxes imposed by counties, and establishes a new restriction on cigarette taxes imposed by any locality. Under current law, all counties may impose a transient occupancy tax of up to two percent, and certain counties may impose it up to a higher maximum rate. The bill authorizes any county to impose a cigarette tax up to a maximum rate of 40 cents per pack. It also provides that any locality that imposes such tax at a rate higher than 40 cents per pack may not increase such rate. The provisions related to the cigarette tax have a delayed effective date of July 1, 2021. Under current law, only certain counties may impose a cigarette tax, and cities and towns may impose such tax with no limit on the rate.

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HB 1119	Patrick A. Hope; C.E. Cliff Hayes, Jr.	Flavored Tobacco Products; Sale Prohibited, Civil Penalty.	OPPOSE H Continued to 2021 (2/5) (aka failed to pass due to VSFA and others' ardent opposition).	Prohibits the sale, distribution, offering for sale or distribution, or causing the sale or distribution of flavored tobacco products, as that term is defined in the bill, and imposes a civil penalty not to exceed \$500 for the first violation, \$1000 for a second violation, \$1,500 for a third violation, and \$2,000 for the fourth or subsequent violation.
HB 1120	Patrick A. Hope; C.E. Cliff Hayes, Jr.	Tobacco Products; Tax On All Tobacco Products, Penalties.	OPPOSE H Continued to 2021 in Finance (2/5) (aka failed to pass due to VSFA and others' ardent opposition).	Provides that tobacco products, defined in the bill, would be subject to tax at rates of \$1.80 per pack of cigarettes or 39 percent of the wholesale price for all other tobacco products, including vapor products. Current law imposes taxes of \$0.30 per pack of cigarettes, 10 percent of the wholesale price of certain tobacco products, and various weight-based rates that apply to moist snuff and loose leaf tobacco. The bill broadens the definition of "tobacco product" to include electronic smoking devices, which are not taxed under current law.
HB 1185	James A. "Jay" Leftwich; Alfonso H. Lopez	Nicotine Vapor Products; Sale, Penalties.	MONITOR/SUPPORT if necessary as middle ground proposal H Continued to 2021 in Finance (2/5) (aka failed to pass)	Limits the sale of (i) flavored nicotine vapor products, including mint and menthol but not tobacco flavors, and (ii) high-nicotine vapor products above 30 mg strength to retail establishments that sell to persons 21 years of age or older and have proven age restriction processes. The bill requires such retail establishments to prove valid identification checks at the door. The bill also prohibits the sale of nicotine vapor products with additives other than traditional e-liquid ingredients (e.g., propylene glycol, vegetable glycerin, flavoring) that alter the performance characteristics of nicotine (e.g., benzoic acid). The bill further requires a person selling a tobacco product, nicotine vapor product, or alternative nicotine product to obtain identification as proof of a buyer's age in any circumstance. Under current law, such identification is not required from an individual who the person has reason to believe is at least 21 years of age or who the person knows is at least 21 years of age.

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* HB 1283	Patrick A. Hope	Tobacco Products Retailers; Registration, Purchase, Possession, And Sale Of Products, Penalties.	OPPOSE H Continued to 2021 in Finance (2/5) (aka failed to pass due to VSFA opposition)	Registration of tobacco products retailers; purchase, possession, and sale of tobacco products; penalties. The bill prohibits any person from selling any tobacco product at retail (i) without first obtaining a permit from the Department of Taxation and (ii) at a location within 1,000 feet of a youth-oriented facility, defined in the bill. The bill prohibits Internet sales of tobacco products, except to a permit-holding retailer, and prohibits the sale of tobacco products from vending machines. The... Full Summary
HB 1365	James A. "Jay" Leftwich	Imitation Nicotine Vapor Products; Manufacture, Sale, Or Distribution, Penalty.	SUPPORT H Left in Finance (2/11) (aka failed to pass)	Manufacture, sale, or distribution of imitation nicotine vapor products; penalty. Prohibits the manufacture, sale, or distribution of any imitation nicotine vapor product, defined in the bill as any (i) counterfeit nicotine vapor product, also defined in the bill, or (ii) any liquid nicotine or nicotine vapor product that was not manufactured, prepared, compounded, or processed by a person registered with the U.S. Food and Drug Administration (FDA). The bill makes a first violation a Class 1 misdemeanor... Full Summary
* HB 1372	James A. "Jay" Leftwich	Vapor Products; Licensing of Retailers.	MONITOR/SUPPORT with amendment as middle ground proposal H Continued to 2021 in Finance (2/5) (aka failed to pass)	Licensing of retailers of vapor products; penalty. Requires any person that engages in the retail sale of vapor products to register with the Department of Taxation as a retail dealer. The bill authorizes the Department to charge an application fee not to exceed its costs of enforcement and application processing. The bill provides for recordkeeping requirements and makes it a Class 1 misdemeanor to engage in fraud or misrepresentation in connection with an application.
HB 1570	Kaye Kory; Schuyler T. VanValkenburg	Tobacco Products, Etc.; Possession By Persons Under 21 Years Of Age.	MONITOR Signed into Law by Governor (3/21)	Provides an exception to the law prohibiting possession of tobacco products, nicotine vapor products, or alternative nicotine products by a person less than 21 years of age when such possession is part of a scientific study.

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SB 484	Barbara A. Favola	Local Taxing Authority; Equalizes City And County Taxing Authorities.	<p>MONITOR (to ensure vapor products not affected; they were not)</p> <p>S Incorporated by Finance and Appropriations into SB588-Hanger) (2/5)</p>	See description for SB588
SB 588	Barbara A. Favola; Lynwood W. Lewis, Jr.; Mamie E. Locke; et al.	Localities; Authority To Levy Taxes.	<p>MONITOR to ensure vapor products not affected; they were removed per VSFA's request.</p> <p>Signed into Law by Governor (4/22)</p>	Modifies or eliminates several restrictions that apply to taxes imposed by counties, and establishes a new restriction on cigarette taxes imposed by any locality. Under current law, all counties may impose a transient occupancy tax of up to two percent, and certain counties may impose it up to a higher maximum rate. The bill authorizes any county to impose a cigarette tax up to a maximum rate of 40 cents per pack. It also provides that any locality that imposes such tax at a rate higher than 40 cents per pack may not increase such rate. The provisions related to the cigarette tax have a delayed effective date of July 1, 2021. Under current law, only certain counties may impose a cigarette tax, and cities and towns may impose such tax with no limit on the rate.
* SB 595	Emmett W. Hanger, Jr.	Public School Security Equipment Grant Act Of 2013; Eligible Security Equipment, Vaping Detectors.	<p>SUPPORT</p> <p>Signed into Law by Governor (4/6)</p>	Public School Security Equipment Grant Act of 2013; eligible security equipment; vaping detectors. Classifies vaping detectors as eligible security equipment under the Public School Security Equipment Grant Act of 2013.
SB 852	Adam P. Ebbin; Jennifer B. Boysko	Tobacco Products; Tax On All Tobacco Products, Penalties.	<p>OPPOSE</p> <p>S Passed by indefinitely in Finance and Appropriations (12-Y 1-N) (1/30) (aka failed to pass)</p>	Provides that tobacco products, defined in the bill to include vapor products, would be subject to tax at rates of \$1.80 per pack of cigarettes or 39 percent of the wholesale price for all other tobacco products. Current law imposes taxes of \$0.30 per pack of cigarettes, 10 percent of the wholesale price of certain tobacco products, and various weight-based rates that apply to moist snuff and loose leaf tobacco. The bill broadens the definition of "tobacco product" to include electronic smoking devices, which are not taxed under current law.
SB 921	Mamie E. Locke	Cigarette Tax, Local; Authorizes All Counties To Impose Without Rate Limit.	<p>MONITOR</p> <p>S Incorporated into (SB588-Hanger) (2/5)</p>	See description for SB588

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SB 952	David W. Marsden	High-nicotine Vapor Products; Specialty Retail Facility, Penalty.	SUPPORT S Failed to report (defeated) in Commerce and Labor (5-Y 9-N 1-A) (2/10)	Prohibits the sale of nicotine vapor products that contain more than 20 milligrams of nicotine per milliliter at retail except at a retail facility that generates at least 50 percent of its revenue from the sale of tobacco products; nicotine vapor products, including liquid nicotine; and alternative nicotine products (“vape shops”).
SB 966	Adam P. Ebbin; Ghazala F. Hashmi	Flavored Nicotine Vapor Product; Prohibition, Penalty.	OPPOSE S Defeated by Senate (19-Y 21-N) (2/11) after ardent opposition by VSFA	Flavored nicotine vapor product; prohibition; penalty. Prohibits the sale or distribution at retail of a flavored nicotine product. The bill provides that any person who violates this prohibition is guilty of a Class 4 misdemeanor.