

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 662

H.P. 431

House of Representatives, February 16, 2023

**An Act to Prohibit Municipal Flavored Tobacco Product Bans on
State-licensed Tobacco Retailers**

Reference to the Committee on Health and Human Services suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative PERRY of Bangor.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §3015** is enacted to read:

3 **§3015. Regulation of flavored tobacco products**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Flavored tobacco product" means any tobacco product that imparts a taste or smell,
7 other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer
8 either prior to or during the consumption of a tobacco product, including, but not
9 limited to, any taste or smell relating to fruit, menthol, mint, wintergreen, chocolate,
10 cocoa, vanilla, honey or any candy, dessert, beverage, herb or spice.

11 B. "Tobacco product" has the same meaning as in Title 22, section 1551, subsection 3.

12 C. "Tobacco retailer" has the same meaning as in Title 22, section 1551, subsection
13 3-A.

14 **2. Limitation.** A municipality may not adopt or enforce an ordinance that prohibits a
15 tobacco retailer licensed in accordance with Title 22, chapter 262-A, subchapter 1 from
16 selling a flavored tobacco product.

17 **SUMMARY**

18 This bill prohibits a municipality from adopting or enforcing an ordinance prohibiting
19 a tobacco retailer from selling flavored tobacco products.