

An Act to create a nicotine free generation

SECTION 1. Section 239 of chapter 111 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 6, the words “and (iv)” and inserting in place thereof the words:- (iv) the prohibition of the sale of tobacco products to persons born on or after January 1, 2006; and (v).

SECTION 2. Subsection (a) of section 6 of chapter 270 of the General Laws, as so appearing, is hereby amended by striking out the definition “Tobacco product” and inserting in place thereof the following definition:-

“Tobacco product”, a product containing or made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, electronic cigarettes, electronic cigars, electronic pipes, electronic nicotine delivery systems or any other similar products that rely on vaporization or aerosolization regardless of nicotine content in the product; provided, however, that “tobacco product” shall also include any component, part or accessory of a tobacco product; and provided further, that “tobacco product” shall not include a product that has been approved by the United States Food and Drug Administration for the sale of or use as a tobacco cessation product or for other medical purposes and is marketed and sold or prescribed exclusively for the approved purpose.

SECTION 3. Subsection (b) of said section 6 of said chapter 270, as so appearing, is hereby amended by inserting, in line 27, after the word “age” the following words:- or born on or after January 1, 2006.

SECTION 4. Said section 6 of said chapter 270, as so appearing, is hereby further amended by adding the following subsection:-

(f) Nothing in this section shall preempt further restriction by the commonwealth or any department, agency or political subdivision of the commonwealth.

SECTION 5. This act shall take effect on January 1, 2027.