

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H3/4/25 H3/19/25

A Bill

HOUSE BILL 1626

By: Representatives Duffield, Achor, F. Allen, Andrews, Barnes, Barnett, Beaty Jr., Beck, Bentley, S. Berry, Breaux, Brooks, K. Brown, Joey Carr, Childress, C. Cooper, Cozart, Crawford, Dalby, Duke, Eaton, Eaves, Ennett, K. Ferguson, D. Garner, Gazaway, Gramlich, Hall, Hawk, Holcomb, Hollowell, Hudson, Jean, L. Johnson, Long, Lundstrum, Lynch, Maddox, Magie, J. Mayberry, McAlindon, McClure, McCullough, M. McElroy, McGrew, McGruder, McNair, Milligan, Nazarenko, Painter, Perry, Pilkington, Puryear, J. Richardson, Richmond, Rose, Rye, Schulz, T. Shephard, Steele, Torres, Tosh, Unger, Walker, Warren, D. Whitaker, Wooten

By: Senators Irvin, G. Stubblefield, *Stone, D. Wallace, J. Petty, Dees, C. Tucker, J. Bryant*

For An Act To Be Entitled

AN ACT TO PROHIBIT THE SALE OF DISPOSABLE VAPOR
PRODUCTS FROM A PROHIBITED FOREIGN PARTY; AND FOR
OTHER PURPOSES.

Subtitle

TO PROHIBIT THE SALE OF DISPOSAL VAPOR
PRODUCTS FROM A PROHIBITED FOREIGN
PARTY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 26-57-203, concerning definitions within the Arkansas Tobacco Products Tax Act of 1977, is amended to add additional *subdivisions* to read as follows:

(38) "Disposable vapor product" means a vapor product that:

(A) Has a battery that is not detachable from the atomizer or vaporizer;

(B) Cannot be refilled with e-liquid; and

(C) Is designed to be disposed of after the e-liquid is used; and

(39) "Prohibited foreign party" means the same as in § 18-11-802.



SECTION 2. Arkansas Code Title 26, Chapter 57, Subchapter 2, is amended to add an additional section to read as follows:

26-57-269. Prohibition on sale of disposable vapor product.

(a) A person or entity shall not sell or offer for sale at retail in this state a disposable vapor product from a prohibited foreign party.

(b)(1) The Director of Arkansas Tobacco Control may seize and hold for disposition of the courts or the Arkansas Tobacco Control Board any disposable vapor product sold or offered for sale in violation of this section.

(2) The processes of seizure, forfeiture, and disposition under § 26-57-247 and the destruction of the seized products under § 26-57-249 shall apply to this section.

(c) A violation of subsection (a) of this section is a Class A misdemeanor.

(d) This section does not apply to a product that has been approved by the United States Food and Drug Administration.

SECTION 3. DO NOT CODIFY. TEMPORARY LANGUAGE. Notice of act requirements and allowance of a grace period.

The Director of Arkansas Tobacco Control shall notify manufacturers, wholesalers, retailers, and vendors licensed under § 26-57-219 of:

(1) The requirements of this act and the time frame in which compliance is required; and

(2) The allowance of a ninety-day grace period following the effective date of this act during which any disposal vapor product from a prohibited foreign party in their possession shall be liquidated, sold, or disposed of.

/s/Duffield