

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: S3/18/25

A Bill

SENATE BILL 472

By: Senator J. Bryant
By: Representative Underwood

For An Act To Be Entitled

AN ACT TO CREATE THE VIOLATION OF PURCHASE OR
POSSESSION OF AN E-LIQUID PRODUCT OR VAPOR PRODUCT BY
A MINOR; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE VIOLATION OF PURCHASE OR
POSSESSION OF AN E-LIQUID PRODUCT OR
VAPOR PRODUCT BY A MINOR.

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

SECTION 1. Arkansas Code Title 5, Chapter 60, Subchapter 1, is amended to add an additional section to read as follows:

5-60-126. Purchase or possession of an e-liquid or a vapor product by a minor.

(a) As used in this section:

(1) "E-liquid product" means a liquid, which may contain nicotine, that is inhaled when using a vapor product, and that may include without limitation propylene glycol, vegetable glycerin, nicotine from any source, and flavorings;

(2)(A) "Minor" means a person who is under twenty-one (21) years of age.

(B) "Minor" does not include a person who is under twenty-one years of age and presents a military identification card establishing that he or she is a member of the United States Armed Forces; and

(3)(A) "Vapor product" means an electronic oral device of any size or shape that contains a vapor of nicotine, e-liquid product, or any



other substance that when used or inhaled simulates smoking, regardless of whether a visible vapor is produced, including without limitation a device that:

(i) Is composed of a heating element, battery, electronic circuit, chemical process, mechanical device, or a combination of a heating element, a battery, an electronic circuit, a chemical process, or a mechanical device;

(ii) Works in combination with a cartridge, other container, or liquid delivery device containing nicotine, an e-liquid product, or another substance that is manufactured for use with a vapor product; and

(iii) Is manufactured, distributed, marketed, or sold as any type or derivation of a vapor product, an e-cigarette, an e-cigar, an e-pipe, or another product that is similar to a vapor product.

(B) "Vapor product" does not include a product regulated as a drug or device by the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 301 et seq., as it existed on January 1, 2025.

(b) It is unlawful for a minor to purchase or possess an e-liquid product or a vapor product.

(c) An officer that seizes an e-liquid product or a vapor product found in the possession of a minor shall destroy the item or dispose of the item as contraband under § 5-5-101.

(d) Purchase or possession of an e-liquid product or a vapor product by a minor is a violation and is punishable by a fine not to exceed one hundred dollars (\$100) or up to twenty (20) hours of community service work, or both.

(e) It is not a violation of this section if the minor was acting under § 5-27-227(c).

/s/J. Bryant