

1-1 By: Perry S.B. No. 2024  
 1-2 (In the Senate - Filed March 6, 2025; March 17, 2025, read  
 1-3 first time and referred to Committee on State Affairs;  
 1-4 April 7, 2025, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 7, 2025,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17			X	
1-18			X	
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 2024 By: Hall

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to a prohibition on marketing, advertising, or selling  
 1-24 certain e-cigarette products; creating a criminal offense.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Sections 161.0876(a) and (b), Health and Safety  
 1-27 Code, are amended to read as follows:

1-28 (a) For purposes of this section, "e-cigarette product"  
 1-29 includes any substance ~~[containing nicotine from any source that~~  
 1-30 ~~is]~~ intended for use in an e-cigarette, regardless of whether the  
 1-31 substance contains nicotine.

1-32 (b) A person commits an offense if the person markets,  
 1-33 advertises, sells, or causes to be sold an e-cigarette product:

1-34 (1) in a product [ , if the product's ] container that:

1-35 (A) ~~[(1)]~~ depicts a cartoon-like fictional  
 1-36 character that mimics a character primarily aimed at entertaining  
 1-37 minors;

1-38 (B) ~~[(2)]~~ imitates or mimics trademarks or trade  
 1-39 dress of products that are or have been primarily marketed to  
 1-40 minors;

1-41 (C) ~~[(3)]~~ includes a symbol that is primarily  
 1-42 used to market products to minors;

1-43 (D) ~~[(4)]~~ includes an image or name of a  
 1-44 celebrity; or

1-45 (E) ~~[(5)]~~ includes an image that resembles a food  
 1-46 product, including candy or juice;

1-47 (2) in a product shape or design disguised to appear as  
 1-48 an alternative product, including a product in the shape or design  
 1-49 of:

1-50 (A) a school or office supply, such as a  
 1-51 highlighter, marker, ink pen, or pencil;

1-52 (B) a smart phone, smart watch, smart phone case,  
 1-53 or smart watch case;

1-54 (C) headphones, including ear buds;

1-55 (D) clothing;

1-56 (E) a backpack;

1-57 (F) a cosmetic, including lipstick; or

1-58 (G) a toy; or

1-59 (3) that was manufactured in China.

1-60 SECTION 2. The change in law made by this Act applies only

2-1 to an offense committed on or after the effective date of this Act.  
2-2 An offense committed before the effective date of this Act is  
2-3 governed by the law in effect on the date the offense was committed,  
2-4 and the former law is continued in effect for that purpose. For  
2-5 purposes of this section, an offense was committed before the  
2-6 effective date of this Act if any element of the offense occurred  
2-7 before that date.

2-8 SECTION 3. This Act takes effect September 1, 2025.

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