

47th House District

Portions of Butler County, including
Hamilton and Fairfield, Ross
Township and portions of Fairfield,
Hanover and St. Clair townships

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Sara P. Carruthers Ohio State Representative

Committees

- Finance-
- Finance Subcommittee on Health & Human Services-
- Transportation-
- Behavioral Health- Homeland Security-

Commissions/Councils/Boards

- Early Childhood Advisory Council-
- Ohio Children's Trust Fund-
- Ohio Arts Council-
- Ohio Holocaust & Genocide Memorial & Education Commission-

Chairman Abrams, Vice Chairman Williams, Ranking Member Brown, and members of the Criminal Justice Committee thank you for the opportunity to provide sponsor testimony on House Bill 258.

HB 258 is a simple but crucial bill. Our communities, specifically our children, are increasingly at risk, and we have the responsibility and duty to protect them.

This bill addresses the issue of selling tobacco and vaping products to minors, which is occurring at an alarming rate. HB 258 does two things:

1. Increases penalties and fines for those who are caught repeatedly selling cigarettes, tobacco, or other alternative nicotine products to minors; and
2. Makes those who continuously or repeatedly violate the law regarding the sale of cigarettes, tobacco, or alternative nicotine products subject to Ohio's public nuisance law.

We know that numerous retailers in the state of Ohio are continuously being caught violating state law and selling tobacco and vaping products to minors. By increasing the penalties these establishments face when caught, we are attempting to provide greater deterrence.

And, by subjecting those continuously or repeatedly violating the law regarding the sale of cigarettes, tobacco or alternative nicotine products to the public nuisance statutes, we can provide our communities with the ability to call out these repeat offenders and shut down businesses who demonstrate they either cannot or will not abide by their responsibility to follow the law.

We recognize that not all retailers are bad actors, but the retailers not doing any age verification must be held accountable.

The negligence of these retailers has directly led to an increase in the use of these products by students, and it is only getting worse.

For several years, we have seen this problem continue to grow in our school systems. In the coming hearings, you will hear from school principals and students about the measures schools have taken to address this problem. They have purchased special smoke detector systems, increased monitoring staff, and established new rules. These measures have taken time and resources away from the learning environment.

Vape products are this generation's cigarettes, with known health risks. Unlike in the past, when regulations were lax, we now understand the dangers of both tobacco and nicotine.

In years past, there was relaxed enforcement of laws to prohibit sales to minors, and changes weren't made until it was too late.

Despite being water-based and lacking traditional tobacco smoke, vape emissions contain nicotine, diacetyl (linked to severe lung disease), benzene (common in car exhaust), and heavy metals. They also contain acrolein, causing lung injury, COPD, and raising the risk of asthma and lung cancer.

That doesn't sound healthy to me.

The current teenage vaping epidemic reflects past failures in regulation. Strengthening age verification and purchasing requirements, as proposed by HB 258, is a proactive step to protect our youth.

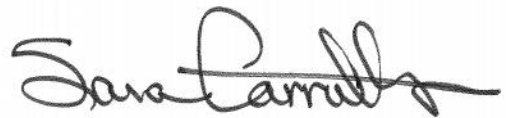
I have two children, and their health and safety are essential. They are the reason I am standing here before you today. As a parent, it is my responsibility to protect them, and I don't want to think about them being exposed to second-hand smoke at school from a classmate.

The time to act is sooner rather than later. We need stricter punishments and penalties on companies and corporations who have become relaxed in their practices and forgone their duty to uphold the law to protect minors from these harmful products.

The passage of HB 258 will do just that. Until bad actors feel real consequences for their actions, the problem will only continue to grow.

Thank you for your consideration. I am happy to answer any questions the committee has.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Carruthers", with a stylized, flowing script.

Representative Sara P. Carruthers

House District 47

Fact sheet showing the harsh truth of tobacco and vape products:

According to the [2021 National Youth Tobacco Survey](#), more than 2 million U.S. middle and high school students reported using e-cigarettes in 2021, with more than 8 in 10 of those youth using flavored e-cigarettes.

[Research from The Johns Hopkins University on vape ingredients](#) published in October 2021 reveals thousands of chemical ingredients in vape products, most of which are not yet identified. Among those the team could identify were several potentially harmful substances, including caffeine, three chemicals never previously found in e-cigarettes, a pesticide and two flavorings linked with possible toxic effects and respiratory irritation.

However, there has been an outbreak of [lung injuries and deaths associated with vaping](#). In February 2020, the Centers for Disease Control and Prevention (CDC) confirmed 2,807 cases of e-cigarette or vaping use-associated lung injury (EVALI) and 68 deaths attributed to that condition.

<https://www.hopkinsmedicine.org/>

In 2016, the Surgeon General concluded that secondhand emissions contain, "nicotine; ultrafine particles; flavorings such as diacetyl, a chemical linked to serious lung disease; volatile organic compounds such as benzene, which is found in car exhaust; and heavy metals, such as nickel, tin, and lead." E-cigarettes also contain acrolein, a herbicide primarily used to kill weeds. It can cause acute lung injury and COPD and may cause asthma and lung cancer.⁴ In January 2018, the National Academies of Science, Engineering and Medicine¹ released a consensus study report that reviewed over 800 different studies.

<https://www.lung.org/>

JUUL pods contain 5%, or 59mg/ml, of nicotine.⁵ This is approximately equal to the nicotine contained in 20 combustible cigarettes.⁶ To make this more concerning, one study demonstrated that 39% of adolescents did not consider JUULs to be e-cigarettes at all.⁶ Another survey suggested that 63% of adolescents did not know that JUUL pods contained nicotine at all.⁷

<https://www.ncbi.nlm.nih.gov/>