



Interested Party Testimony  
James Jarvis, President, Ohio Vapor Trade Association  
House Bill 110 – Biennial Budget  
May 5, 2021

Chairman Huffman and members of the Senate Health Committee thank you for the opportunity to provide testimony on behalf of the Ohio Vapor Trade Association (OHVTA).

As you know, OHVTA represents stand-alone vapor stores across the state as well as manufacturers of vapor products. OHVTA and our members stores' mission is to be a resource for adults looking to use vapor products to make the switch off of combustible cigarettes and traditional tobacco products.

Governor Mike DeWine included two items in his As Introduced version of the budget that would have affected vapor stores. First, through the Ohio Department of Health, he sought to create a licensing program for vapor retailers. While OHVTA was not opposed to the concept of a license or registration, we did oppose the astronomical license fee, nearly four times that of a tobacco retailer, as well as some language concerning the licensing program. We thank House members for removing this language as a whole and we look forward to discussions in the near future on this issue to ensure that vapor retailers are compliant with all laws including ensuring that minors are not able to purchase the product.

Also included in the As Introduced version, and retained in the As Passed by House version, is an expansion of the indoor smoking ban to include vaping. OHVTA does not oppose this language. However, OHVTA respectfully requests that language (amendment SC2900) be added to create an exemption for stand-alone vapor stores much like tobacco and cigar shops currently have in the Ohio Revised Code.

For stand-alone vapor retailers being able to vape in a store is more about safety and consumer protection than anything else. Our stores primarily sell the larger, open devices. These devices have batteries, coils, cotton and liquid that all need to be changed through the life of a device. Our store owners and employees work with customers to ensure they understand how to properly and safely use the device. Being able to vape in our stores is a critical function of ensuring this process. Therefore, creating an exemption for stores who meet the threshold of 80% of gross revenue from the sale of vapor products – the same threshold for tobacco and cigar stores – is a consumer protection issue.

OHVTA thanks members of this committee for considering this addition as you work through the budget process. I would be happy to answer any questions you may have.