

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 Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Senate Judiciary 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.