

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0393.01 Josh Schultz x5486

SENATE BILL 24-046

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SENATE SPONSORSHIP

Coleman,

HOUSE SPONSORSHIP

(None),

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Senate Committees

Business, Labor, & Technology

House Committees

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A BILL FOR AN ACT

101 CONCERNING RESTRICTING SALES OF CERTAIN LIGHTERS.

Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill prohibits the offer for sale of any counterfeit lighter, unsafe lighter, or novelty lighter. The bill does not prohibit:

- The interstate transportation of counterfeit lighters, unsafe lighters, or novelty lighters through this state; or
- The storage of counterfeit lighters, unsafe lighters, or novelty lighters in any distribution center or warehouse if such distribution center or warehouse is closed to the public and does not distribute or sell, at retail, such lighters

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

to the public.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2       **SECTION 1.** In Colorado Revised Statutes, **add** article 29 to title  
3 6 as follows:

4                                       **ARTICLE 29**

5                                       **Restrict Sales of Certain Lighters**

6       **6-29-101. Definitions.** AS USED IN THIS ARTICLE 29, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

8       (1) "COUNTERFEIT LIGHTER" MEANS A LIGHTER THAT INFRINGES  
9 ON THE INTELLECTUAL PROPERTY RIGHTS OF:

10       (a) A CITIZEN OF THE UNITED STATES; OR

11       (b) AN ENTITY THAT IS PROTECTED BY A FEDERAL OR STATE  
12 INTELLECTUAL PROPERTY LAW.

13       (2) "LIGHTER" MEANS AN ELECTRICAL OR MECHANICAL DEVICE  
14 THAT:

15       (a) OPERATES BY USING A TYPE OF FUEL OR POWER SOURCE,  
16 INCLUDING:

17       (I) BUTANE, ISOBUTANE, OR ANOTHER LIQUID FUEL; OR

18       (II) A SOURCE OF ELECTRICAL ENERGY, INCLUDING ALL TYPES OF  
19 BATTERIES; AND

20       (b) IS TYPICALLY USED TO LIGHT A CIGARETTE, CIGAR, OR PIPE.

21       (3) "NOVELTY LIGHTER" MEANS A LIGHTER THAT IS COMMONLY  
22 RECOGNIZED AS APPEALING TO OR INTENDED FOR USE BY CHILDREN UNDER  
23 FIVE YEARS OF AGE AND THAT:

24       (a) PHYSICALLY RESEMBLES IN SHAPE A CARTOON CHARACTER,  
25 TOY, GUN, WATCH, MUSICAL INSTRUMENT, VEHICLE, TOY ANIMAL, FOOD

1 OR BEVERAGE, OR SIMILAR ARTICLES; OR

2 (b) PLAYS MUSICAL NOTES OR HAS FLASHING LIGHTS FOR  
3 ENTERTAINMENT; EXCEPT THAT "NOVELTY LIGHTER" DOES NOT INCLUDE  
4 STANDARD DISPOSABLE OR REFILLABLE LIGHTERS THAT ARE PRINTED OR  
5 DECORATED WITH LOGOS, LABELS, DECALS, ARTWORK, EMBLEMS,  
6 ENGRAVINGS, ETCHINGS, INSCRIPTIONS, OR HEAT SHRINKABLE SLEEVES.

7 (4) "UNSAFE LIGHTER" MEANS:

8 (a) A DISPOSABLE OR REFILLABLE CIGARETTE OR POCKET LIGHTER  
9 THAT DOES NOT COMPLY WITH ASTM STANDARD F400-20, "STANDARD  
10 CONSUMER SAFETY SPECIFICATION FOR LIGHTERS", AS AMENDED,  
11 PUBLISHED BY ASTM INTERNATIONAL; AND

12 (b) ANY GRILL OR UTILITY LIGHTER THAT DOES NOT COMPLY WITH  
13 ASTM STANDARD F2201-20, "STANDARD CONSUMER SAFETY  
14 SPECIFICATION FOR UTILITY LIGHTERS", AS AMENDED, PUBLISHED BY  
15 ASTM INTERNATIONAL.

16 **6-29-102. Restriction on sales of certain lighters.** (1) EXCEPT  
17 AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, A PERSON SHALL NOT  
18 SELL, OFFER FOR SALE, OR PROVIDE A FREE SAMPLE OF ANY COUNTERFEIT  
19 LIGHTER, UNSAFE LIGHTER, OR NOVELTY LIGHTER IN THIS STATE,  
20 REGARDLESS OF WHETHER SUCH PERSON IS SELLING, OFFERING FOR SALE,  
21 OR PROVIDING A FREE SAMPLE OF SUCH LIGHTER ON A RETAIL BASIS,  
22 WHOLESALE BASIS, ONLINE, OR IN PERSON.

23 (2) THIS SECTION DOES NOT PROHIBIT:

24 (a) THE INTERSTATE TRANSPORTATION OF COUNTERFEIT LIGHTERS,  
25 UNSAFE LIGHTERS, OR NOVELTY LIGHTERS THROUGH THIS STATE; OR

26 (b) THE STORAGE OF COUNTERFEIT LIGHTERS, UNSAFE LIGHTERS,  
27 OR NOVELTY LIGHTERS IN A DISTRIBUTION CENTER OR WAREHOUSE

1 LOCATED IN THIS STATE IF SUCH DISTRIBUTION CENTER OR WAREHOUSE IS  
2 CLOSED TO THE PUBLIC AND DOES NOT DISTRIBUTE OR SELL, AT RETAIL,  
3 SUCH LIGHTERS TO THE PUBLIC.

4 **SECTION 2. Act subject to petition - effective date.** This act  
5 takes effect December 1, 2024; except that, if a referendum petition is  
6 filed pursuant to section 1 (3) of article V of the state constitution against  
7 this act or an item, section, or part of this act within the ninety-day period  
8 after final adjournment of the general assembly, then the act, item,  
9 section, or part will not take effect unless approved by the people at the  
10 general election to be held in November 2024 and, in such case, will take  
11 effect on the date of the official declaration of the vote thereon by the  
12 governor.