

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0144.01 Jennifer Berman x3286

HOUSE BILL 16-1137

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**HOUSE SPONSORSHIP**

**Klingenschmitt**, McCann, Windholz, Becker K., Landgraf

**SENATE SPONSORSHIP**

**Lundberg**, Newell

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**House Committees**

Health, Insurance, & Environment

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING A REQUIREMENT THAT CERTAIN PACKAGED NICOTINE**  
102            **PRODUCTS OFFERED FOR SALE IN THIS STATE HAVE A**  
103            **CONSPICUOUSLY PLACED WARNING LABEL ON THE PACKAGE**  
104            **STATING THAT THE PRODUCT CONTAINS NICOTINE.**

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**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://www.leg.state.co.us/billsummaries>.)*

The bill requires any packaged nicotine product that does not contain tobacco and is offered for sale in this state on or after January 1, 2017, to have a conspicuously placed warning label on the package

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

stating that the product contains addictive nicotine. The labeling requirement expressly applies to nicotine-containing dissolvables, lotions, gels, and drinks and to liquid nicotine and nicotine-containing e-liquids that are used with electronic nicotine delivery systems such as electronic cigarettes.

The penalty scheme for violations of the warning label requirement is the same as for violations of the prohibition against selling nicotine products to a minor.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-35-503, **add** (6)  
3 as follows:

4 **24-35-503. Sale of cigarettes, tobacco products, or nicotine**  
5 **products to minors or in vending machines prohibited - warning sign**  
6 **- small quantity sales prohibited - label.** (6) (a) ON OR AFTER JANUARY  
7 1, 2017, A PERSON SHALL NOT SELL OR OFFER TO SELL IN THIS STATE A  
8 PACKAGED NICOTINE PRODUCT THAT DOES NOT CONTAIN TOBACCO UNLESS  
9 THE FOLLOWING WARNING LABEL IS CONSPICUOUSLY PLACED ON THE  
10 PACKAGE:

11 **WARNING: CONTAINS ADDICTIVE NICOTINE.**

12 (b) THE LABELING REQUIREMENT SET FORTH IN PARAGRAPH (a) OF  
13 THIS SUBSECTION (6) APPLIES TO ALL TYPES OF NICOTINE PRODUCTS THAT  
14 DO NOT CONTAIN TOBACCO, INCLUDING NICOTINE-CONTAINING  
15 DISSOLVABLES, LOTIONS, GELS, AND DRINKS AND LIQUID NICOTINE AND  
16 NICOTINE-CONTAINING E-LIQUIDS THAT ARE USED WITH ELECTRONIC  
17 NICOTINE DELIVERY SYSTEMS SUCH AS ELECTRONIC CIGARETTES.

18 **SECTION 2.** In Colorado Revised Statutes, 24-35-506, **amend**  
19 (1) introductory portion as follows:

20 **24-35-506. Limitation on fines.** (1) For a violation of section  
21 24-35-503 (1), ~~or~~ (4), OR (6), the penalty ~~shall be~~ IS as follows:

1           **SECTION 3. Act subject to petition - effective date.** This act  
2 takes effect at 12:01 a.m. on the day following the expiration of the  
3 ninety-day period after final adjournment of the general assembly (August  
4 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a  
5 referendum petition is filed pursuant to section 1 (3) of article V of the  
6 state constitution against this act or an item, section, or part of this act  
7 within such period, then the act, item, section, or part will not take effect  
8 unless approved by the people at the general election to be held in  
9 November 2016 and, in such case, will take effect on the date of the  
10 official declaration of the vote thereon by the governor.