

FIFTY-FOURTH LEGISLATURE  
FIRST SESSION, 2019

SB 338/a

February 22, 2019

Mr. President:

Your **PUBLIC AFFAIRS COMMITTEE**, to whom has been referred

**SENATE BILL 338**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 3, lines 4 through 10, strike Subsection E in its entirety and insert in lieu thereof the following new subsection:

"E. "e-cigarette":

(1) means any electronic oral device, whether composed of a heating element and battery or an electronic circuit, that provides a vapor of nicotine or any other substances the use or inhalation of which simulates smoking; and

(2) includes any such device, or any part thereof, whether manufactured, distributed, marketed or sold as an e-cigarette, e-cigar, e-pipe or any other product, name or descriptor; but

(3) does not include any product regulated as a drug or device for medical purposes by the United States food and drug administration under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 301 et seq.;".,

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and thence referred to the **CORPORATIONS AND TRANSPORTATION  
COMMITTEE.**

Respectfully submitted,

\_\_\_\_\_  
Gerald Ortiz y Pino, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 1 Against

Yes: 5

No: Brandt

Excused: Ingle

Absent: None

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