

**FIFTY-SECOND LEGISLATURE
FIRST SESSION, 2015**

February 9, 2015

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

HOUSE BILL 213

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

1. On page 1, line 17, strike "for sale" and insert in lieu thereof "to sell any nicotine liquid container at retail".

2. On page 1, line 18, after "state", strike the remainder of the line.

3. On page 1, strike all of line 19 and insert in lieu thereof "unless such container is child-resistant.".

4. On page 2, strike lines 3 through 7 in their entirety and insert in lieu thereof the following new paragraph:

"(1) "child-resistant" means a package or container that is designed or constructed to be significantly difficult for children under five years of age to open or obtain a toxic or harmful amount of the substance contained therein within a reasonable time and not difficult for normal adults to use properly, but does not mean a package or container that all such children cannot open or obtain a toxic or harmful amount within a reasonable time;"

5. On page 2, strike lines 12 through 14 in their entirety and insert in lieu thereof the following new paragraph:

"(3) "nicotine liquid container":

(a) means a bottle or container of a liquid or other substance containing nicotine where the liquid or substance is sold, marketed or intended for use in an electronic delivery device; but

(b) does not include a liquid or other substance containing nicotine in a cartridge that is sold, marketed or intended for use in a cartridge that is sold, marketed or intended for use in an electronic delivery device; provided that

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such cartridge is pre-filled and sealed by the manufacturer and is not intended to be opened by the consumer."

Respectfully submitted,

Zachary J. Cook, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 12 For 0 Against
Yes: 12
No: 0
Excused: Martinez, K.
Absent: None

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