

PUBLIC HEALTH NEWS

April 19, 2016

Kitsap Public Health Board to consider new local vapor products ordinance

Changes due to passage of statewide vapor products bill

KITSAP COUNTY, WA—The Kitsap Public Health District is developing a new draft vapor products ordinance for Kitsap County due to the passage of Engrossed Substitute Senate Bill 6328 (ESSB 6328) which relates to youth substance use prevention associated with vapor products. Governor Inslee is signing ESSB 6328 today.

As a result of the passage of ESSB 6328, the Kitsap Public Health Board is discontinuing its discussion on the draft ordinance regulating the use, sales, and availability of vapor products. The Kitsap Public Health District recently completed an extensive public outreach effort for this draft ordinance.

ESSB 6328 does not restrict local legislative authorities from adopting rules to regulate the use of vapor products in indoor public places and places of employment. The Kitsap Public Health Board has directed the Health District to draft a new, very targeted, ordinance to address only restrictions on the use of vapor products in indoor public places—the areas not addressed by ESSB 6328. The Health District plans to release the new draft ordinance for public review the week of April 25th. The revised ordinance will be posted at www.kitsappublichealth.org/vaping.

The Health District will present the revised draft ordinance to the Health Board for an initial review at its May 3, 2016 meeting. The Health Board will not be taking formal action on the revised draft ordinance during this meeting.

Public review and comment on the new draft ordinance is desired. Comments can be submitted:

- 1) Online at www.kitsappublichealth.org/vaping
- 2) Via phone by calling 360-337-5293
- 3) Via mail:

Kitsap Public Health District
ATTN: Vaping Ordinance Feedback
345 6th Street Suite 300, Bremerton, WA 98337

Those interested in this ordinance are encouraged to sign-up for electronic notifications about the process at www.kitsappublichealth.org/subscribe.

[ESSB 6328](#) will address the following statewide:

- Requires vapor product retailers, distributors, or delivery sellers to obtain licenses from the Washington State Liquor and Cannabis Board;
- Preempts local legislative authorities from regulating vapor product promotions or sales, or imposing fees or license requirements on vapor product retailers;
- Preempts local legislative authorities from regulating use of vapor products in certain outdoor places;
- Requires vapor product warning signs to be posted at all licensed vapor product retailers;
- Requires nicotine ingredient labels and warnings on e-liquids and e-juices;
- Prohibits minors from purchasing, possessing, or using vapor products;
- Requires child-resistant packaging of all liquid nicotine containers sold at retail;
- Requires vapor product retailers to conduct age verification prior to sales;
- Prohibits self-service of vapor products in licensed retailers, and requires vapor products to be contained in secured, locking displays;
- Regulates the tasting of vapor products in licensed retailers only;
- Requires in-person transactions for vapor product coupons;
- Prohibits use of vapor products in certain public places including child care facilities, schools or within 500 feet of school property, school buses, elevators, and playgrounds;
- Prohibits vapor product retailers from selling or providing any type of marijuana product; and
- Directs a significant portion of the state license fees collected from vapor product retailers to state and local health departments to develop and implement strategies to prevent and reduce tobacco and vapor product use by youth.

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