



BOARD OF COUNTY COMMISSIONERS

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January 30, 2020

Representative Susan Lontine
Chair, House Health and Insurance
State of Colorado House of Representatives
Denver, CO 80203

Representative Yadira Caraveo
Vice Chair, House Health and Insurance
State of Colorado House of Representatives
Denver, CO 80203

RE: House Bill 20-1001 Regarding Nicotine Product Regulation

Dear Representative Lontine, Representative Caraveo and House Health and Insurance Committee Members:

As elected representatives of Pitkin County, where rates of youth e-cigarette use are close to three times the national average, we feel the community impact of this epidemic and, yet, as a county we have limited power to enact enforceable legislation to adequately address this issue. We urge you to support House Bill 20-1001: *Concerning Nicotine Product Regulation* and not only protect our youth directly, but also empower local governments to add the local protections necessary to address the epidemic.

The need for this legislation is clear. Tobacco use remains the most preventable cause of disease, disability, and death in Colorado, killing more than 5,000 Coloradans each year, more than alcohol, HIV, car crashes, illegal drugs, murders, and suicides combined. The estimated state & federal tax burden from smoking-caused government expenditures averages over \$629 per year for every Colorado household.

Although there has been a decline in cigarette smoking state-wide across all age groups, there has been an increase in e-cigarette use, especially among youth. One potential explanation for Colorado's high rates of youth e-cigarette use is that Colorado has relatively lenient tobacco policies - retailers are not required by state policy to hold a license, enforcement checks are not systematic, the state tobacco tax is one of the lowest in the country, and e-cigarettes are not included in the tax code.

HB20-1001 will ensure the protection of the increased minimum legal sales age to 21 is unwavering, despite changes at the federal level. It will ensure universal implementation of the policy by creating clarity in Colorado. Raising the age to 21, however, is not effective without licensing. By enacting strong state-wide retail licensing, Colorado will be able to hold stores accountable for being gatekeepers of their products. The American Academy of Pediatrics published a study (Feb. 2019) that showed that strong licensing requirements for retailers was associated with youth being 74% less likely to start using e-cigarettes compared to weak/no licenses. Strong licensing includes clear expectations, consistent and routine enforcement, and real penalties for sales to minors, including license suspension. HB20-1001 applies this not only to local retailers but also to online stores, a crucial protection for youth. Finally, we

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commend you for removing the penalty for youth, as the onus needs to be on the manufacturers and retailers who profit off our kids.

This bill has the opportunity to not only ensure minimum protections, but it arms both the state and local jurisdictions with sufficient authority to make the age limitation meaningful and enforceable through licensure and enforcement. On behalf of all families, youth, and future generations of children, we call on you to vote yes for HB20-1001.

Sincerely,



Steven F. Child, Board Chair
Pitkin County Board of County Commissioners

cc:

Representative Kyle Mullica
Representative Colin Larson
Senator Jeff Bridges
Senator Kevin Priola
Representative Julie McCluskie
Senator Kerry Donovan
Gini Pingnot at Colorado Counties Inc.

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