

## SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 231

AN ACT

To repeal section 407.932, RSMo, and to enact in lieu thereof one new section relating to tobacco products.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 407.932, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 407.932, to read as follows:

407.932. [Nothing in sections 407.925 to 407.932 shall prohibit local political subdivisions from enacting more stringent ordinances or rules.] 1. The state preempts the field of regulating the sale of tobacco products, alternative nicotine products, and vapor products, including, but not limited to, local ordinances dealing with ingredients, setting the age to sell or purchase such products to over twenty-one years of age, licensing bans, and product bans. The provisions of sections 407.924 to 407.934 shall supersede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the sale of tobacco products, alternative nicotine products, or vapor products.

2. No political subdivision shall deny a license to a qualified applicant for a tobacco products license, an alternative nicotine products license, or a vapor products license if the new license being sought is for the same business or location that had a license within the previous twenty-four months. Any new licensee shall remain eligible for a tobacco products license, an alternative nicotine products license, or a vapor products license, or the renewal thereof, provided that such licensee is in

compliance with applicable rules and laws. The provisions of this subsection shall not be construed to require the political subdivision to increase the total number of tobacco products licenses, alternative nicotine products licenses, or vapor products licenses issued by the political subdivision.

3. The provisions of this section shall not be construed to prohibit counties, municipalities, or other political subdivisions from enforcing ordinances and regulations that prevent the sale of tobacco products, alternative nicotine products, and vapor products to persons under the age of twenty-one; provided, that such ordinances are consistent with the provisions of this and other applicable sections of law.