

BILL ANALYSIS

S.B. 1313
By: Cook
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that e-cigarette and tobacco retailers employ predatory tactics and advertisements to entice minors to buy and use cigarettes, e-cigarettes, and other tobacco products, such as employing retailer logos and outdoor signage with dynamic lighting and cartoon-like images that appeal to minors. S.B. 1313 seeks to address this issue by prohibiting the use by retailers of certain signs, logos, or other design marks related to the marketing, advertising, or sale of cigarettes, e-cigarettes, and other tobacco products and establishing a criminal penalty for a violation.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1313 amends the Health and Safety Code to create a Class B misdemeanor offense for a retailer who uses in any manner related to the retailer's marketing, advertising, or sale of cigarettes, e-cigarettes, or tobacco products a sign, logo, or other design mark that does the following:

- depicts a cartoon-like fictional character primarily aimed at entertaining minors;
- imitates or mimics the trademarks or visual appearance of products primarily marketed to minors;
- includes a symbol primarily used to market products to minors;
- includes an image of a celebrity; or
- includes an image resembling a food product, such as candy or juice.

The bill defines "e-cigarette" and "retailer" by reference to statutory provisions governing the distribution of cigarettes, e-cigarettes, or tobacco products.

EFFECTIVE DATE

September 1, 2025.