

BILL ANALYSIS

Senate Research Center
89R5069 MCF-F

S.B. 1316
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State Affairs
3/28/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Throughout Texas, communities are seeing smoke shops and e-cigarette retailers operating dangerously close to schools and religious structures. Consequently, predatory advertising near these sensitive locations lures minors to purchase and use e-cigarettes, including vapes, that are proven to be harmful to minors. Criminalizing the advertisement of e-cigarettes within 1,000 feet of educational institutions and churches is an effective deterrent.

Texas law prohibits the advertisement of cigarettes and other tobacco products within 1,000 feet of a church or school. However, the same advertisement restrictions do not apply to e-cigarettes, vapes, and e-pens, which are increasing in popularity among minors.

S.B. 1316 would prohibit a sign containing an advertisement for e-cigarettes within 1,000 feet of a church or school, which is in line with prohibitions on cigarette and tobacco advertisements.

As proposed, S.B. 1316 amends current law relating to a prohibition on e-cigarette advertising in certain locations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Subchapter K, Chapter 161, Health and Safety Code, to read as follows:

SUBCHAPTER K. PROHIBITION OF CERTAIN CIGARETTE, E-CIGARETTE, OR
TOBACCO PRODUCT ADVERTISING; FEE

SECTION 2. Amends Section 161.121, Health and Safety Code, by adding Subdivision (2-a) to define "e-cigarette."

SECTION 3. Amends Sections 161.122(a), (b), and (e), Health and Safety Code, as follows:

(a) Prohibits a sign containing an advertisement for certain products, including e-cigarettes, except as provided by Section 161.122 (Prohibition Relating to Certain Signs; Exceptions), from being located closer than 1,000 feet to a church or school.

(b)-(e) Makes conforming changes to these subsections.

SECTION 4. Effective date: September 1, 2025.