89R5069 MCF-F

By:  Cunningham, Johnson, Frank, Simmons, H.B. No. 2735

     Olcott, et al.

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on e-cigarette advertising in certain locations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  The heading to Subchapter K, Chapter 161, Health and Safety Code, is amended to read as follows:

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

SECTION 2.  Section 161.121, Health and Safety Code, is amended by adding Subdivision (2-a) to read as follows:

(2-a)  "E-cigarette" has the meaning assigned by Section 161.081.

SECTION 3.  Sections 161.122(a), (b), and (e), Health and Safety Code, are amended to read as follows:

(a)  Except as provided by this section, a sign containing an advertisement for cigarettes, e-cigarettes, or tobacco products may not be located closer than 1,000 feet to a church or school.

(b)  The measurement of the distance between the sign containing an advertisement for cigarettes, e-cigarettes, or tobacco products and an institution listed in Subsection (a) is from the nearest property line of the institution to a point on a street or highway closest to the sign, along street lines and in direct lines across intersections.

(e)  Subsection (a) does not apply to a sign containing an advertisement for cigarettes, e-cigarettes, or tobacco products that, before September 1, 1997, was located closer than 1,000 feet to a church or school but that was not located closer than 500 feet to the church or school.

SECTION 4.  This Act takes effect September 1, 2025.