89R10182 MCF-F

By:  Cook S.B. No. 1313

A BILL TO BE ENTITLED

AN ACT

relating to prohibited signs, logos, and designs in advertising or marketing cigarettes, e-cigarettes, or other tobacco products; creating a criminal offense.

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.  Subchapter K, Chapter 161, Health and Safety Code, is amended by adding Section 161.124 to read as follows:

Sec. 161.124.  PROHIBITED IMAGES AND SIGNAGE; CRIMINAL OFFENSE. (a)  In this section, "e-cigarette" and "retailer" have the meanings assigned by Section 161.081.

(b)  A retailer commits an offense if the retailer:

(1)  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:

(A)  depicts a cartoon-like fictional character primarily aimed at entertaining minors;

(B)  imitates or mimics the trademarks or visual appearance of products primarily marketed to minors;

(C)  includes a symbol primarily used to market products to minors;

(D)  includes an image of a celebrity; or

(E)  includes an image resembling a food product, such as candy or juice; or

(2)  uses decorative components, including signs, graphics, animation, or dynamic lighting, in a manner that presents the exterior of the retailer's premises with a visual appearance of a nightclub or a game room as defined by Section 234.131, Local Government Code.

(c)  An offense under this section is a Class B misdemeanor.

SECTION 3.  This Act takes effect September 1, 2025.