By:  Cook, et al. S.B. No. 1313

(In the Senate - Filed February 14, 2025; February 28, 2025, read first time and referred to Committee on State Affairs; April 7, 2025, reported adversely, with favorable Committee Substitute by the following vote: Yeas 10, Nays 0; April 7, 2025, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Hughes               X

Paxton               X

Bettencourt          X

Birdwell             X

Hall                 X

Hinojosa of Nueces   X

Middleton            X

Parker               X

Perry                          X

Schwertner           X

Zaffirini            X

COMMITTEE SUBSTITUTE FOR S.B. No. 1313 By:  Zaffirini

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 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:

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

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

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

(4)  includes an image of a celebrity; or

(5)  includes an image resembling a food product, such as candy or juice.

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

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

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