

By: Cook, et al.
(Cunningham)

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 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;

1 (4) includes an image of a celebrity; or
2 (5) includes an image resembling a food product, such
3 as candy or juice.
4 (c) An offense under this section is a Class B misdemeanor.
5 SECTION 3. This Act takes effect September 1, 2025.