

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;

1                    (D) includes an image of a celebrity; or

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

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

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

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