

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 29, 2025

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB2024 by Perry (Relating to a prohibition on marketing, advertising, or selling certain e-cigarette products; creating a criminal offense.), **As Passed 2nd House**

The bill would make the sale or marketing of certain e-cigarette related products a Class A misdemeanor. As a result, fine revenue could increase. However, the amount of any increased revenue cannot be determined.

The bill would make it a Class A misdemeanor to advertise, sell, offer for sale, or cause to be sold an e-cigarette or e-cigarette product, regardless of the presence of nicotine in the product, when its container bears the name of a celebrity or is shaped or designed to appear as an alternative product; when to any extent it was manufactured in China; when it contains certain substances; or when it is not listed as a certified product by the Comptroller of Public Accounts (CPA).

The bill would require CPA to publish and maintain a website list of e-cigarettes for which manufacturers have met certain certification requirements.

The Office of Court Administration is unable to project the change in case volume and associated costs that would result from implementing the provisions of the bill.

Although the fines resulting from the additional Class A misdemeanors could lead to increased revenue, the amount is unknown.

It is assumed that any impact on state correctional populations or on the demand for state correctional resources would not be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

LBB Staff: JMc, NPe, DGI, WP, SD, BRI