



87th Legislative Session

Texas PTA Legislative Priority

VAPING (AND TOBACCO) FLAVOR BAN, REGULATION, AND TAXATION

Pursue passage of legislation to ban flavors in e-cigarettes and combustible tobacco and to regulate the sale of e-cigarette products. Pursue a tax on e-cigarette products and an increase in the tax on combustible tobacco.

BACKGROUND

Last session, Texas PTA became increasingly concerned with the dramatic uptick in tobacco use by youth, especially the use of dangerous vaping and e-cigarette products. Texas PTA successfully advocated to raise the legal age to purchase tobacco products from 18 to 21 years.

This session, Texas PTA will continue to pursue legislation that makes it more difficult for youth to access both traditional combustible cigarettes and vaping and e-cigarette products. Legislation will seek to ban flavored tobacco products, regulate the sale of vaping and e-cigarette products, levy a tax on e-cigarettes, and increase the existing tax on traditional combustible tobacco products.

- Most e-cigarettes contain nicotine and other harmful substances. Nicotine is highly addictive and can harm brain development. The adolescent brain is more susceptible to nicotine because teens are still going through critical periods of growth and development until about age 25.
- According to the manufacturer, JUUL, a popular brand of e-cigarette devices, has as much nicotine as a [pack of 20 cigarettes](#).
- According to the [U.S. Centers for Disease Control \(CDC\)](#), nearly 9 out of 10 adults who smoke cigarettes daily first try smoking by age 18. Each day in the United States, about 1,600 youth smoke their first cigarette and nearly 200 youth start smoking every day.
- Per the [Campaign For Tobacco-Free Kids](#), in 2020, 38.9% of high school users (up from 34.2% in 2019) and 20% of middle school users (up from 18% in 2019) were frequent users of e-cigarettes, reporting use on at least 20 of the preceding 30 days. Alarming, 22.5% of high school users and 9.4% of middle school users reported daily use. This amounts to 1.3 million middle and high school students who are frequent users of e-cigarettes, including over 730,000 daily users.
- E-cigarettes are the most popular tobacco product used by youth, especially those in high school. [81% of youth](#) who tried e-cigarettes started with a flavored variety.
- Tobacco companies market smokeless tobacco, little cigars, and e-cigarettes in youth-friendly flavors like cotton candy, gummy bear, cherry, and watermelon.
- According to the [National Youth Tobacco Survey \(NYTS\)](#), released by the U.S. Centers for Disease Control and Prevention (CDC) and the Food and Drug Administration (FDA), e-cigarettes have been the most commonly used tobacco product among youth since 2014.
- According to the [Campaign for Tobacco-Free Kids](#), tobacco tax increases are one of the most effective ways to reduce smoking and other tobacco use, especially among kids. Nationally, every 10% increase in cigarette prices reduces youth smoking by about 7% and total cigarette consumption by about 4%.

#InBadTaste

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