

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2511 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Chris Kannady

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 2511

By: Kannady

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to tobacco and vapor products;
requiring vapor product manufacturers to make a
certain attestation to the Alcoholic Beverage Laws
Enforcement Commission; providing for contents of the
attestation; requiring notification of material
changes to the attestation; requiring the ABLE
Commission to develop, publish, and maintain a
certain directory; prohibiting certain acts;
providing for codification; and providing an
effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-229.35 of Title 63, unless
there is created a duplication in numbering, reads as follows:

A. Beginning July 1, 2022, every manufacturer of a vapor
product that is sold or intended to be sold in this state, whether
directly or through a distributor, retailer, or similar intermediary
or intermediaries, shall execute and deliver an attestation under
penalty of perjury to the Oklahoma Alcoholic Beverage Laws

1 Enforcement (ABLE) Commission certifying that, as of the date of
2 such attestation:

3 1. The vapor product was available for purchase in the United
4 States as of August 8, 2016, and the manufacturer has applied for a
5 marketing order for the vapor product by submitting a Premarket
6 Tobacco Product Application on or before September 9, 2020, to the
7 United States Food and Drug Administration (FDA); or

8 2. The manufacturer has received a marketing order or other
9 authorization for the vapor product from the FDA pursuant to Section
10 387j of Title 21 of the United States Code.

11 B. The manufacturer shall notify the ABLE Commission within
12 thirty (30) days of any material change to the attestation,
13 including whether the FDA has issued or not issued a market order or
14 other authorization or has ordered the manufacturer to remove the
15 vapor product, either temporarily or permanently, from the United
16 States market.

17 C. The ABLE Commission shall develop a directory listing all of
18 the manufacturers that have provided attestations that comply with
19 subsection A of this section and all vapor products that are listed
20 in such attestations. The ABLE Commission shall:

21 1. Make the directory available for public inspection on its
22 website on or before October 1, 2022; and
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1 2. Update the directory as necessary to correct mistakes and to
2 add or remove manufacturers or vapor products to maintain the
3 directory in conformity with the requirements of this section.

4 D. It shall be unlawful for any person, directly or indirectly,
5 to knowingly manufacture, distribute, sell, barter, or furnish in
6 this state any vapor product that is not included in the directory.

7 SECTION 2. This act shall become effective November 1, 2021.

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9 58-1-7516 AB 02/12/21

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