



February 16, 2022

RE: OPPOSITION OF S 1284 WITHOUT IMPORTANT AMENDMENT

Dear Chairman Martin and Members of the Senate Health and Welfare Committee,

On behalf of the American Cancer Society Cancer Action Network, American Heart Association, American Lung Association, Campaign for Tobacco Free Kids, Americans for Nonsmokers' Rights, Parents Against Vaping e-cigarettes, and Preventing Tobacco Addiction Foundation and those we serve; we are writing to express support for raising the minimum legal age of sale for tobacco products to 21 but cannot support S1284 without addressing a critical component.

Our coalition supports raising the minimum legal age for sale of ALL tobacco products to 21 with strong retailer compliance standards and active enforcement measures as part of a comprehensive strategy to reduce youth initiation of tobacco. It is important to evaluate each legislative proposal as the tobacco industry has specifically used minimum age of sale laws to weaken restrictions on sales to youth, penalize youth, create exceptions for certain products, and to interfere with other effective tobacco control policies. As such, our organizations support minimum legal age of sale legislation in line with evidence based best practices that effectively protect youth, and not that which serves to benefit the tobacco industry at the expense of children.

We request the elimination of Section 2; IC 39-5703 pertaining to penalties for youth who are sold tobacco products. Youth purchase, use, and possession penalties ("PUP laws") simply involve children unnecessarily in the juvenile justice system, rather than targeting the tobacco industry trying to addict them. This bill includes IMPRISONMENT as a penalty for youth who are sold tobacco products by adults. Data has routinely demonstrated that punishing youth does not reduce youth tobacco use, nor does it curb the appeal of such products marketed directly to them. State and local governments should reform or eliminate laws, policies, and enforcement practices that target youth, and focus on bad actors who market and sell to them. Eliminating penalties on youth while holding businesses and industry representatives accountable for violations of tobacco control laws should be the focus of enforcement action.

We welcome the opportunity to work with the sponsor of S1284 and this committee to draft an amendment in line with this request.

Respectfully submitted,

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