

Policy Priority: Youth Access Via Tobacco Retailers

 **Increase enforcement and accountability** for tobacco retailers. While current legislation impacts tobacco sales to Nevada's youth, additional model policy language is necessary to decrease youth access to tobacco.

- **Increase compliance checks** from once every 3 years to annually.
- **Lengthen time period for repeat violations** from 24 months to 36 months.
- **Increase fines** for tobacco licensees for repeat violations.
- Include a mechanism to **revoke a tobacco retail license** for multiple retail sales violations.
- **Require mandatory training** for retail merchants on responsible tobacco sales.

 **Support community-based education** including ID checking, responsible tobacco and electronic vapor product sales, tobacco 21 signage.

Current State of Nevada

Tobacco retailers are selling tobacco products to youth (under 21 years) at an all-time high reaching an alarming 30%, leaving the state out-of-compliance with the federal Synar program requirement of less than 20%. Nevada is at risk of facing **monetary and programmatic penalties up to 40%** of the State's \$17 million Substance Abuse Prevention and Treatment Block Grant funds.



24.1% of Nevada high school students used electronic vapor products at least one day in the past 30 days.



14.2% of Nevada adults smoked combustible cigarettes at least one day in the past 30 days.

It is anticipated the numbers of Nevada youth who use tobacco will increase in step with a **nationwide epidemic**.

Youth Access to Tobacco Products

11.1% of Nevada High School students report obtaining their own cigarettes by **buying them in a store or gas station** during the 30 days before the survey.

20.4% of Nevada High School students reported it was **"very easy" to get cigarettes** if they wanted some and another 23.7% reported "fairly easy."

34.5% of Nevada High School students reported it was **"very easy" to get electronic vapor products** if they wanted some and another 24.1% reported "fairly easy."

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A Brief History

18+

1992

Congress enacted the Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act (PL 102-321), which includes an amendment (section 1926) aimed at decreasing youth access to tobacco. This act includes the Synar amendment (section 1926) requiring states to enact and enforce **laws prohibiting the sale or distribution of tobacco products to individuals under the age of 18.**

21+

2019

The President signed legislation raising the federal minimum age for sale of tobacco products from 18 to 21 years. This legislation made it **illegal for a retailer to sell any tobacco product—including cigarettes, cigars, and e-cigarettes to anyone under 21.**

ID Scan

2021

The Nevada Legislature passed Assembly Bill 59 increasing the minimum sales of tobacco to 21 years to align with federal age regulation. In addition, the 2021 Legislature passed Assembly Bill 360 requiring retailers **utilize ID scanning technology for tobacco sales on anyone under 40 years of age.**

Historically, the Tobacco Enforcement Unit at the Nevada Attorney General's Office conducts the Synar compliance checks and the Food and Drug Administration (FDA) conducts federal compliance checks in Nevada. The Nevada Department of Taxation MSA Enforcement Unit processes tobacco retail, wholesale, and manufacturer licenses for both cigarettes and Other Tobacco Products.

The Toll of Tobacco in Nevada

31% of cancer deaths

in Nevada are attributable to smoking.

4,100 adults

die each year from their own smoking in Nevada.

\$1.08 billion

Annual health care cost in Nevada attributable to smoking.

\$148.9 million

Medicaid cost attributable to smoking in Nevada.

\$69.4 million

Estimated amount spent by the tobacco industry marketing their products each year in Nevada.

Additional Resources/Links

Nevada Attorney General's Office – Tobacco Enforcement Unit
Nevada Division of Public and Behavioral Health – Synar Program

Tobacco Regulation for Substance Abuse Prevention and Treatment Block Grant Final Rule - 1996

Tobacco 21 Model Policy, Preventing Tobacco Addiction Foundation