



POLICY PRIORITY: YOUTH ACCESS VIA TOBACCO RETAILERS

POLICY RECOMMENDATION



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 period of time for repeat violations** from 24 months to 36 months.
- 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

The Synar regulation for states to conduct youth (under 21) inspections of tobacco retailers requires states to be within a retail violation rate (RVR) of less than 20%. If Nevada reports an RVR higher than 20%, **Nevada is at risk of losing up to 10%** of the State’s \$5 million Substance Use Prevention, Treatment, and Recovery Services Block Grant funds. During the penalty waiver period under Tobacco 21 implementation, Nevada RVR was out of compliance.



29%

of Nevada high school students used electronic vapor products on 20 or more days during the 30 days before the survey.

13.6%

of Nevada middle school students used electronic vapor products on 20 or more days during the 30 days before the survey.

Youth Access to Tobacco Products

9.3% 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.

15.6% of Nevada high school students reported it was **“very easy” to get cigarettes** if they wanted some and another 22.7% reported “fairly easy.”

26.5% of Nevada high school students reported it was **“very easy” to get electronic vapor products** if they wanted some and another 20.9% reported “fairly easy.”

A BRIEF HISTORY



Nevada Tobacco Control & Smoke-free Coalition

18+

1992

Congress enacted the 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 (AB) 59 increasing the minimum age for sales of tobacco. In addition, AB 360 passed, requiring retailers to **utilize ID scanning technology or automated software to verify the ID of anyone under the age of 40 for**

Increased Penalty

2023

The Nevada Legislature passed Assembly Bill 53 to remove tobacco licensee warnings and **increase penalties to tobacco licensees.**

Historically, the Tobacco Enforcement Unit at the Nevada Attorney General's Office conducts Synar compliance inspections and the Food and Drug Administration (FDA) conducts federal compliance inspections in Nevada. The Nevada Department of Taxation MSA Enforcement Unit processes tobacco retail, wholesale, and manufacturer licenses for both cigarettes and Other Tobacco Products. In Nevada, NRS requires that tobacco retailers get inspected once every three years. Public health best practice is to increase the amount of inspections to at least annually.

THE TOLL OF TOBACCO IN NEVADA



29% of cancer deaths

in Nevada are attributable to smoking.



\$1.25 billion

is Nevada's annual health care cost attributable to smoking.



\$71.3 million

to market their products in Nevada.



4,100 adults

die each year from their own smoking in Nevada.



\$160.1 million

is Nevada's Medicaid cost attributed to smoking.

ADDITIONAL RESOURCES/LINKS

Campaign for Tobacco Free Kids – The Toll of Tobacco in Nevada

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

Nevada Youth Risk Behavior Survey 2021 – High School

Nevada Youth Risk Behavior Survey 2021 – Middle School

SAMHSA – Nevada Summaries FY 2024

Tobacco 21 Model Policy, Preventing Tobacco Addiction Foundation

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