



# Ohio Legislative Service Commission

## Sub. Bill Comparative Synopsis

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### Sub. H.B. 168

131st General Assembly  
(H. Health & Aging)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 1129-1)
<b>Liquid nicotine and electronic cigarettes</b>	Prohibits the manufacture, sale, or offer for sale of any liquid, whether or not it contains nicotine, if the liquid is all of the following: (1) intended for human consumption, (2) intended for use in an electronic cigarette, and (3) not in child-resistant packaging. <i>(R.C. 1349.83(B)(1))</i>	Instead prohibits the sale at retail of any container that (1) contains liquid nicotine, (2) is intended for use with an electronic cigarette, and (3) does not satisfy either (a) federal child-resistant effectiveness standards or (b) child-resistant packaging standards for liquid nicotine containers established by the Ohio Department of Health (ODH). <i>(R.C. 2927.28(B)(1))</i>
<b>Child-resistant packaging</b>	Requires ODH to develop guidelines and adopt rules establishing standards for child-resistant packaging generally. <i>(R.C. 1348.83(B)(2))</i>  Defines "child-resistant packaging" as packaging that is designed or constructed to be significantly difficult, within a reasonable time, for a child younger than 5 to open, but is not difficult for an adult to open or properly use the	Instead specifies that ODH must adopt rules establishing child-resistant packaging standards for liquid nicotine containers. <i>(R.C. 2927.28(C))</i>  No provision.

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	product. (R.C. 1349.83(A))	
<b>Delayed effective date</b>	No provision.	Delays for six months from the bill's effective date the effective date of the prohibition on the sale of a liquid nicotine container that does not meet child-resistant effectiveness or packaging standards. (R.C. 2927.28(B)(1))
<b>Enforcement and investigations</b>	Requires the Ohio Department of Public Safety to enforce the bill's provisions. (R.C. 5502.01)	Same, but also requires the Department to maintain an investigative unit to conduct investigations and enforcement activity related to child-resistant effectiveness or packaging standards and liquid nicotine containers. (R.C. 5502.13)
<b>Federal regulations</b>	Specifies that the bill's prohibition does not apply if specifically preempted by federal law. (R.C. 1349.83(B)(1))	Instead specifies that the bill's prohibition does not apply to liquid nicotine containers sold on or after the date a federal agency issues any final regulations establishing applicable child-resistant effectiveness standards. (R.C. 2927.28(B)(2)(b))

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