

## CHAPTER 346

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**CONSUMER AND COMMERCIAL TRANSACTIONS**

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## HOUSE BILL 24-1356

BY REPRESENTATIVE(S) Herod, Amabile, Bacon, Boesenecker, Brown, English, Jodeh, Kipp, Lindsay, Lindstedt, Willford;  
also SENATOR(S) Mullica, Buckner, Cutter, Michaelson Jenet, Priola.

**AN ACT**

**CONCERNING PROHIBITING THE SALE OF ELECTRONIC SMOKING DEVICES TO MINORS, AND, IN CONNECTION THEREWITH, ESTABLISHING THE SALE OF ELECTRONIC SMOKING DEVICES TO MINORS AS A DECEPTIVE TRADE PRACTICE.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 6-1-102, **amend** (10) as follows:

**6-1-102. Definitions.** As used in this article 1, unless the context otherwise requires:

(10) "Sale" means any sale, offer for sale, or attempt to sell any ~~real or personal~~ PRODUCT, GOOD, OR property for any consideration.

**SECTION 2.** In Colorado Revised Statutes, 6-1-105, **amend** (1)(cccc) and (4) as follows:

**6-1-105. Unfair or deceptive trade practices - definitions.** (1) A person engages in a deceptive trade practice when, in the course of the person's business, vocation, or occupation, the person:

(cccc) Sells or offers for sale a product OR ELECTRONIC SMOKING DEVICE that is age-restricted to a person who does not meet the age restriction; or

(4) ~~For purposes of~~ AS USED IN this section, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ELECTRONIC SMOKING DEVICE" HAS THE MEANING SET FORTH IN SECTION 25-14-203 (4.5).

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(b) "Recklessly" means a reckless disregard for the truth or falsity of a statement or advertisement.

**SECTION 3. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: June 3, 2024