

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

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

5 **6-1-102. Definitions.** As used in this article 1, unless the context
6 otherwise requires:

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

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

11 **6-1-105. Unfair or deceptive trade practices - definitions.**

12 (1) A person engages in a deceptive trade practice when, in the course of
13 the person's business, vocation, or occupation, the person:

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

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

19 (a) (I) "ELECTRONIC SMOKING DEVICE" MEANS A
20 NONCOMBUSTIBLE PRODUCT THAT PRODUCES VAPOR OR AEROSOL FOR
21 INHALATION FROM THE APPLICATION OF A HEATING ELEMENT TO A LIQUID
22 SUBSTANCE CONTAINING NICOTINE.

23 (II) "ELECTRONIC SMOKING DEVICE" INCLUDES:

24 (A) A CONSUMABLE NICOTINE LIQUID SUITABLE FOR USE IN AN
25 ELECTRONIC SMOKING DEVICE, WHETHER SOLD WITH THE DEVICE OR SOLD
26 SEPARATELY; AND

27 (B) A PRODUCT RELATED TO THE USE OF AN ELECTRONIC SMOKING
28 DEVICE, SUCH AS A POWER UNIT, AN E-LIQUID, AN E-LIQUID CARTRIDGE, AN
29 E-LIQUID POD, A DISPOSABLE DEVICE, OR ANY OTHER PRODUCT.

30 (III) "ELECTRONIC SMOKING DEVICE" DOES NOT INCLUDE:

31 (A) ANY PRODUCT THAT HAS BEEN APPROVED BY THE FEDERAL
32 FOOD AND DRUG ADMINISTRATION FOR SALE AS A TOBACCO CESSATION
33 PRODUCT OR FOR OTHER THERAPEUTIC USE IF THAT PRODUCT IS MARKETED
34 AND SOLD SOLELY FOR SUCH APPROVED USE; OR

35 (B) AN ELECTRONIC SMOKING DEVICE DESIGNED AND USED FOR
36 MARIJUANA OR A PRODUCT RELATED TO THE USE OF AN ELECTRONIC
37 SMOKING DEVICE DESIGNED AND USED FOR MARIJUANA.

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

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

6 Page 1, strike lines 102 through 110 and substitute "**DEVICES TO MINORS,**
7 **AND, IN CONNECTION THEREWITH, ESTABLISHING THE SALE OF**
8 **ELECTRONIC SMOKING DEVICES TO MINORS AS A DECEPTIVE TRADE**
9 **PRACTICE.**".

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