



Date: November 12, 2024

To: Chair Young and Members of the House Committee on Families, Children, and Seniors

From: Monique Stanton, President & CEO, Michigan League for Public Policy

Subject: Support for HB 6002-6005 & HB 6022 (Grant, Aiyash, Young, Scott) – Protect MI Kids: Strengthen Laws on Youth Tobacco

---

The Michigan League for Public Policy is pleased to support House Bills 6002-6005 and House Bill 6022 (Grant, Aiyash, Young, Scott), which are part of an important package to improve Michigan's laws that keep harmful tobacco products out of the hands of our youth. Reducing young peoples' access to tobacco products will help reduce tobacco-related deaths, reduce healthcare costs and improve long-term health outcomes for Michiganders statewide.

The League is a nonpartisan research and advocacy organization that promotes economic opportunity for all and analyzes the impact of public policy and budget decisions on the lives of Michiganders who have been systemically left out of prosperity. The League is also the state's Kids Count organization, working as a part of a national effort to measure child well-being at the state and local levels and use that information to shape public policies and programs to improve the lives of children and their families.

Despite long-term declines in the percentage of children using tobacco, use of tobacco products—including cigarettes, e-cigarettes, vaporizing devices and other tobacco products—among Michigan youth remains too high, especially among high school students. Unfortunately, many of these students gain access to tobacco products while in middle school. Michigan students report getting tobacco products, especially e-cigarettes, not only from friends and family but also by purchasing them from convenience stores, gas stations, grocery stores and vape shops. And children are bombarded with tobacco products and ads when they go to these stores, watch movies or go online. In all, despite the gains we have made, youth exposure to tobacco products, whether at home, in school or out in the community, remains too widespread and access to tobacco products remains too easy.

These five bills are important parts of a vital package to strengthen Michigan's laws to keep tobacco products out of the hands of our children. House Bills 6002-6003, sponsored by Rep. Grant and Rep. Aiyash, will require the licensure and regulation of tobacco retailers. Tobacco products are widely available in Michigan, including at tobacco and vape shops, but also at convenience stores, grocery stores, gas stations and other shops. This makes it difficult to track and limit the sales of tobacco products in individual communities and statewide. Additionally,

Using data to educate, advocate and fight for policy solutions that undo historic and systemic racial and economic inequities to lift up Michiganders who have been left out of prosperity.

1223 TURNER STREET • SUITE G1 • LANSING, MICHIGAN 48906

P: 517.487.5436 • F: 517.371.4546 • WWW.MLPP.ORG

A UNITED WAY AGENCY

Michigan is one of only 10 states that does not require a license to sell e-cigarettes, tobacco products (not including e-cigarettes) or both. These bills will allow Michigan to join the majority of states, including all of our Great Lakes neighbors, that require licensing of retailers. By doing so, Michigan would have a deeper ability to track tobacco sales, enforce tobacco laws and reduce access to tobacco products by Michigan's youth.

House Bills 6004-6005, sponsored by Rep. Young, will repeal the ineffective and inequitable "purchase, use and possession" (PUP) laws that penalize the youths purchasing tobacco products rather than the companies that market and sell them to youths. Penalizing children is not an effective strategy for reducing youth smoking, and PUP laws often disproportionately harm youth of color, LGBTQ+ youth and youth from low-income communities, all of whom are aggressively targeted for tobacco marketing. It is also more challenging to enforce PUP laws than it is to enforce laws that restrict sales to minors. Instead, we should be focusing our enforcement on stopping the illegal sale of these products by retailers to minors. Recent surveys continue to show that the majority of underage kids who try to buy tobacco products are not refused the sale because of their age, meaning that sellers of these products are either not checking that they are selling harmful cigarettes, e-cigarettes or other tobacco products to children, or that they are checking but still allow the sale to go through, therefore knowingly selling to underage children.

House Bill 6022, sponsored by Rep. Scott, will eliminate the preemption of local ordinances pertaining to the sale of tobacco products or the licensure of distributors. This will allow local communities more control to enact tougher restrictions on tobacco product sales, including e-cigarettes. Adult and youth smoking rates in Michigan are significantly higher than the national average and preemption is used to keep local communities from protecting kids' health. Removing preemption addresses the disproportionate targeting of vulnerable populations by the tobacco industry. This bill will help communities close the health equity gap, as Black smokers are more likely to die from tobacco-related diseases.

While we support the above bills, we also hope the committee has the opportunity to consider the remainder of the package, including Senate Bills 648-650, sponsored by Sens. Chang and Cherry, which would, respectively, increase the taxes on tobacco products, which haven't been adjusted in years; increase dedicated support to tobacco prevention and cessation programs; and end the sale of all flavored tobacco products. Michigan ranks at the bottom of states—and nowhere near what the Centers for Disease Control and Prevention recommend—in our state spending on tobacco prevention and cessation programs, and these bills are necessary to ensure sufficient funding for important programs. While these are not yet before the committee, we think they are a vital part of the conversation.

We are pleased to support the package and urge the Legislature's swift action on these bills.

Using data to educate, advocate and fight for policy solutions that undo historic and systemic racial and economic inequities to lift up Michiganders who have been left out of prosperity.

1223 TURNER STREET • SUITE G1 • LANSING, MICHIGAN 48906

P: 517.487.5436 • F: 517.371.4546 • WWW.MLPP.ORG

A UNITED WAY AGENCY