

**RESOLUTION NO. 16-08**

**A RESOLUTION OF THE DRAPER CITY COUNCIL SUPPORTING STUDENTS AGAINST ELECTRONIC VAPING (SAEV) COALITION IN THEIR EFFORTS TO PROMOTE LEGISLATION TO TAX AND REGULATE ELECTRONIC CIGARETTES**

**WHEREAS**, Electronic Nicotine Delivery Systems (ENDS), also known as Electronic Cigarettes (E-Cigarettes), vapes, or vape pens, typically contain nicotine, a highly addictive substance; and

**WHEREAS**, Nicotine has immediate bio-chemical effects on the brain and body, is toxic in concentrated doses, and has been known to affect the youth brain disproportionately; and

**WHEREAS**, The FDA has found that the inhaled and second-hand vapor created by ENDS contain a number of chemical compounds which are suspected of being harmful to humans; and

**WHEREAS**, From 2013 to 2015, the percentage of 8<sup>th</sup> to 12<sup>th</sup> graders in Utah using ENDS has nearly doubled: with 10.2% of surveyed students (22,000) reporting being regular users of these products; and

**WHEREAS**, Youth are actively targeted to acquire and use ENDS through flavoring and colors in ENDS liquids and advertising with celebrities and music that are appealing to youth; and

**WHEREAS** There are currently no federal or state regulations that prevent advertising of ENDS to minors; and

**WHEREAS**, In Utah, ENDS liquids containing nicotine are not taxed as a tobacco product, even though the nicotine contained in ENDS liquids is derived from tobacco; and

**WHEREAS**, ENDS liquids are inexpensive and affordable for youth; and

**WHEREAS**, The sale via the Internet of ENDS liquids containing nicotine to non-licensed persons is not prohibited in Utah as is the sale of all other tobacco products; and

**WHEREAS**, Studies indicate that absent statutes prohibiting the sales of ENDS liquids containing nicotine on the Internet, online vendors regularly sell those liquids to teens age 14 to 17; and

**WHEREAS**, Research indicates that in Utah the Internet is a highly popular means through which youth acquire ENDS liquid; and

**WHEREAS**, State statute will protect youth from the use and exposure to Electronic Nicotine Delivery Systems (Electronic Cigarettes) if it provides the following stipulations: a) advertising restrictions that limit the means by which ENDS mechanisms and liquids can be advertised; b) taxation of ENDS liquids containing nicotine at the same level as the tax on other tobacco products, which will increase their price and deter youth from purchasing those liquids;

and c) prohibition of the Internet sale of ENDS liquid containing nicotine to unlicensed persons, which will deter the sale of those liquids to youth by Internet vendors.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:**

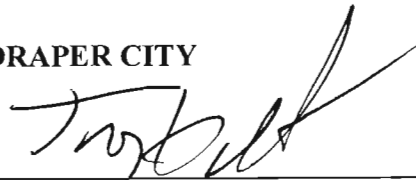
**Section 1.** **Support Efforts to Legislate E-Cigarettes.** The Draper City Council will support legislation during the CY 2016 Legislative Session that will include the aforementioned stipulations to protect youth and urge State Legislators to do the same with their vote in favor of such legislation.

**Section 2.** **Severability.** If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

**Section 3.** **Effective Date.** This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS 2<sup>nd</sup> DAY OF FEBRUARY, 2016.**

DRAPER CITY



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Mayor Troy K. Walker

ATTEST:



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Rachelle Conner, MMC, City Recorder

