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**House Federal and State Affairs
Proponent Testimony on HB 2340
February 22, 2021**

Chairman Barker and Members of the Committee,

Thank you for the opportunity to provide proponent testimony of HB 2340. Oral Health Kansas is the state-wide advocacy organization dedicated to promoting the importance of lifelong dental health by shaping policy and educating the public, so Kansans know that all mouths matter.

Oral Health Kansas stands in support of HB 2340 for its alignment with federal statute by raising the legal age of tobacco sale to 21 in Kansas. It is essential that Kansas align our tobacco policy with federal statute to ensure ongoing federal funding for the State's tobacco control and prevention program. It will also make enforcement easier for our local and state authorities.

We also appreciate the bill language's addition of e-cigarettes to the definitions of "smoke" and "smoking". E-cigarette use can not only be harmful to overall health, but also oral health resulting in dry mouth, cavities, gum disease, and more.¹ E-cigarettes continue to be popular yet harmful for kids, teens, and young adults, and including them in the above definitions will ensure our state remains focused on comprehensive tobacco control.

Although we support majority of the bill language, there are also a couple concerns we have with HB2340. The Tobacco Retail License fee has not been raised since 1972 and currently costs \$25 for two years. This low fee will make it difficult for enforcement agencies to comply with the annual compliance checks that are increasing from once to twice a year. Our other concern for HB2340 is the retention of current penalties on youth for purchase, use and possession of "regulated products". Youth penalties are not an effective tobacco control strategy and instead disproportionately impact minorities. We ask the Committee to consider increasing the retail license fee and remove the current penalties placed on youth for purchase, use and possession.

Oral Health Kansas stands in support of HB 2340 and we encourage the Committee to consider amendments on licensure fees and youth penalties to make the bill even stronger. Thank you for your time and consideration.

Sincerely,

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¹Kim SA, SmithS, Beauchamp C, et al. Carcinogenic potential of sweet flavors in electronic-cigarette liquids. PLoS One.