

HB 1538 - AS INTRODUCED

2026 SESSION

26-2600

07/05

HOUSE BILL **1538**

AN ACT preventing vape products from being marketed towards minors.

SPONSORS: Rep. Wade, Straf. 15; Rep. Butler, Straf. 12; Rep. Mandelbaum, Rock. 21; Rep. Newell, Ches. 4; Rep. Selig, Straf. 10; Rep. Sorensen, Rock. 28; Rep. Tellez, Hills. 40; Rep. N. Germana, Ches. 15; Rep. Giasson, Hills. 29; Rep. McDonnell, Rock. 25; Sen. Watters, Dist 4; Sen. Altschiller, Dist 24; Sen. Fenton, Dist 10

COMMITTEE: Commerce and Consumer Affairs

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ANALYSIS

This bill prohibits vape products from being marketed towards minors.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT preventing vape products from being marketed towards minors.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Section; Alcoholic Beverages; The Liquor Commission; Prohibition on Deceptive Vape  
2 Products. Amend RSA 176 by inserting after section 19 the following new section:

3 176:20 Deceptive Vape Products Prohibited.

4 I. No person shall market, promote, label, brand, advertise, distribute, offer for sale, or sell a  
5 vape product by:

6 (a) Imitating a product that is not a vape product to conceal the nature of the vape  
7 product from parents, teachers, or other adults, including:

8 (1) A food or brand of food commonly marketed to minors, including candy, desserts,  
9 and beverages;

10 (2) School supplies commonly used by minors, including erasers, highlighters, pens,  
11 and pencils; and

12 (3) Built into clothing and accessories that could plausibly be marketed to children.

13 (b) Using branding that is known to appeal to minors, including branding based on or  
14 depicting a character, personality, or symbol known to appeal to minors, including a character in a  
15 comic book, movie, television show, video game, or a mythical creature.

16 (c) Including interactive video game capabilities within a vape product.

17 II. Violations of this section shall constitute civil infractions punishable by administrative  
18 action of the liquor commission against the person or entity pursuant to rules adopted by the  
19 commission under RSA 541-A.

20 2 Effective Date. This act shall take effect January 1, 2027.

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LBA  
26-2600  
11/4/25

**HB - FISCAL NOTE  
AS INTRODUCED**

AN ACT preventing vape products from being marketed towards minors.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2027 through 2029.

**AGENCIES CONTACTED:**

Liquor Commission