

May 24, 2022

Representative Roger Hauck
Chair, House Regulatory Reform Committee

RE: House Bills 6108 & 6109

Dear Chairman Hauck and Committee Members,

We are writing on behalf of the members of the Keep MI Kids Tobacco Free Alliance. Our group includes nearly 70 public health and community organizations ready to work with you to pass comprehensive legislation proven to protect our youth. Tobacco products, including electronic cigarettes, continue to have a significant toll on Michigan: currently, 20.8 percent of Michigan youth are using e-cigarettes, which is nearly double the national rate of 11.3 percent.

While we support bringing Michigan's tobacco sales age in line with federal law, this legislation is a missed opportunity to truly impact our youth tobacco epidemic. Changing the age of sale for tobacco products from 18 to 21 will only work by also changing Michigan's enforcement structure through strong tobacco retail licensure and regular retail compliance checks. As drafted, this legislation will have little to no positive impact on youth tobacco use or retailer violation rates.

As it stands, Michigan has one of the highest rates of underage sales in the nation and the largest number of FDA-issued "no sales" orders. In order to truly keep tobacco products out of the hands of kids, we need stronger policies across the board-- better enforcement protocols and regular compliance checks. Without those, nothing is going to change.

Even if the age of sale is increased to 21, Michigan is still at risk for losing federal funding if there is no plan in place to reduce the high number of retailer violations for sales to underage youth. Data from the FDA shows that Michigan's current retail violation rate from January of 2021 to the present, is 42 percent-- more than double the 20 percent violation rate the FDA allows to continue to receive block grant funding. While changing the age of sale in state law is important to enforce the federal age, without addressing the retailer violation rate, funding loss is still possible.

Additionally, these bills are tie-barred to bills currently being considered in the Senate: specifically, Senate Bill 720 allows tobacco products to be ordered for home delivery, resulting in increased youth access and the bill lowers the tax rate on some tobacco products, making them more affordable for youth. Only by reducing access to these dangerous products-- not expanding it-- will we effectively decrease violation rates and protect our federal funding. If the true intent of these bills is to keep tobacco products out of the hands of young people (by raising the age of sale to 21), then tie-barring House Bills 6108 and 6109 to bills in the Senate that do the opposite makes no sense.

Our Alliance is asking you to reject this legislation today. We will gladly serve as a resource in strengthening these and other tobacco-related bills that exist or arise so that together we can advance legislation that truly protects our young people from a lifetime of tobacco use and nicotine addiction.

Sincerely,

Paul Steiner
Executive Director
Tobacco Free Michigan
tfm@tobaccofreemichigan.org
517-974-1951

Shannon Quinby
Eastern Regional Director
Preventing Tobacco Addiction Foundation/Tobacco 21
Shannon.Quinby@tobacco21.org
703-434-2078



Keep MI Kids Tobacco Free Alliance members

- Allegiance Health
- Alliance of Coalitions for Healthy Communities
- American Cancer Society - Cancer Action Network
- American Heart Association
- American Indian Veterans of Michigan
- American Lung Association
- Arbor Circle
- Ascension Michigan
- Beaumont Teen Health Center
- BreatheWell Newaygo County
- Campaign for Tobacco-Free Kids
- CARE of Southeastern Michigan
- Cherry Health
- Community Mental Health Association of Michigan
- Genesee Health Plan
- Genesee County Medical Society
- Genesee County Prevention Coalition
- Henry Ford Health System
- Hurley Medical Center
- Ingham County Medical Society
- March of Dimes
- Mercy Health
- McLaren Health Care
- Michigan's Children
- Michigan Academy of Family Physicians
- Michigan Association of Local Public Health
- Michigan Black Caucus Foundation
- Michigan Catholic Conference
- Michigan Chapter of American Academy of Pediatrics
- Michigan Chapter of American College of Cardiology
- Michigan Council for Maternal and Child Health
- Michigan Council of Nurse Practitioners
- Michigan Health and Hospital Association
- Michigan League for Public Policy/Kids' Count
- Michigan Nurses Association
- Michigan Osteopathic Association
- Michigan Public Health Coalition
- Michigan Society of Hematology and Oncology
- Michigan State Medical Society
- Michigan State University – College of Human Medicine
- Michigan State University Extension
- Michigan Thoracic Society
- Newaygo County Great Start Collaborative
- Parents Against Vaping
- Prevention Network Michigan
- Preventing Tobacco Addiction Foundation
- Sacred Heart Center
- Saint Joseph Mercy Health System
- School-Community Health Alliance of Michigan
- South Eastern Michigan Indians
- Spectrum Health
- Tobacco Free Michigan
- Trinity Health
- Washtenaw County Medical Society