

181 the sale and distribution of [~~cigarettes and smokeless tobacco~~] tobacco products or electronic
 182 cigarette products to protect children and adolescents [~~issued by the United States Food and~~
 183 ~~Drug Administration, 21 C.F.R. Part 1140~~];

184 (iii) upon the recommendation of the department or a local health department under
 185 Title 26, Chapter 62, Tobacco Retail Permit; or

186 (iv) under any other provision of state law or local ordinance.

187 (7) (a) [~~In accordance with Subsection (7)(b)~~] Except as provided in Subsection (8), a
 188 retail tobacco specialty business that has a business license and is operating in a municipality in
 189 accordance with all applicable laws except for the requirement in Subsection (4), on or before
 190 December 31, [2015] 2018, is exempt from Subsection (4).

191 (b) A retail tobacco specialty business may maintain an exemption under Subsection
 192 (7)(a) if:

193 (i) the retail tobacco specialty business license is renewed continuously without lapse
 194 or permanent revocation;

195 (ii) the retail tobacco specialty business does not close for business or otherwise
 196 suspend the sale of tobacco products for more than 60 consecutive days;

197 (iii) the retail tobacco specialty business does not substantially change the business
 198 premises or business operation; and

199 (iv) the retail tobacco specialty business maintains the right to operate under the terms
 200 of other applicable laws, including:

201 (A) Title 26, Chapter 38, Utah Indoor Clean Air Act;

202 (B) zoning ordinances;

203 (C) building codes; and

204 (D) the requirements of a retail tobacco specialty business license issued before
 205 December 31, [2015] 2018.

206 (8) Beginning August 15, \$→ [2022] 2020 ←\$, a retail tobacco specialty business that has
 206a a business

207 license and is operating in a municipality may not be located within 1,000 feet of any school or
 208 a community college described in Subsection 53B-16-101(1)(b)(iii).

209 Section 2. Section **10-8-47 (Effective 07/01/20)** is amended to read:

210 **10-8-47 (Effective 07/01/20). Intoxication -- Fights -- Disorderly conduct --**

211 **Assault and battery -- Petit larceny -- Riots and disorderly assemblies -- Firearms and**

336 Title 26, Chapter 62, Tobacco Retail Permit; or

337 (iv) under any other provision of state law or local ordinance.

338 (7) (a) [~~In accordance with Subsection (7)(b)~~] Except as provided in Subsection (8), a
 339 retail tobacco specialty business that has a business license and is operating in a county in
 340 accordance with all applicable laws except for the requirement in Subsection (4), on or before
 341 December 31, [~~2015~~] 2018, is exempt from Subsection (4).

342 (b) A retail tobacco specialty business may maintain an exemption under Subsection
 343 (7)(a) if:

344 (i) the retail tobacco specialty business license is renewed continuously without lapse
 345 or permanent revocation;

346 (ii) the retail tobacco specialty business does not close for business or otherwise
 347 suspend the sale of tobacco products for more than 60 consecutive days;

348 (iii) the retail tobacco specialty business does not substantially change the business
 349 premises or business operation; and

350 (iv) the retail tobacco specialty business maintains the right to operate under the terms
 351 of other applicable laws, including:

352 (A) Title 26, Chapter 38, Utah Indoor Clean Air Act;

353 (B) zoning ordinances;

354 (C) building codes; and

355 (D) the requirements of a retail tobacco specialty business license issued before
 356 December 31, [~~2015~~] 2018.

357 (8) Beginning August 15, ~~§~~ → [2022] 2020 ← ~~§~~ , a retail tobacco specialty business that has
 357a a business

358 license and is operating in a county may not be located within 1,000 feet of any school or a
 359 community college described in Subsection [53B-16-101\(1\)\(b\)\(iii\)](#).

360 Section 4. Section **26-57-103** is amended to read:

361 **26-57-103. Electronic cigarette products -- Labeling -- Manufacturing and**
 362 **quality control standards -- Advertising.**

363 (1) The department shall, in consultation with a local health department, as defined in
 364 Section [26A-1-102](#), and with input from members of the public, establish[~~, no later than~~
 365 ~~January 1, 2016,~~] by rule made in accordance with Title 63G, Chapter 3, Utah Administrative
 366 Rulemaking Act, the standards for electronic cigarette substance: