



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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January 30, 2026

Mr. Speaker:

The Economic Development and Workforce Services Committee recommends **H.B. 265**, NON-NICOTINE INHALATION PRODUCT AMENDMENTS, by Representative J. E. Thompson, be replaced and reports a favorable recommendation on **1st Sub. H.B. 265**, NON-NICOTINE INHALATION PRODUCT AMENDMENTS with the following amendments:

Amendment 1

1 Line 9 through 15:

9 registered;

10 #establishes civil penalties for selling an unregistered non-nicotine inhalation product or
11 non-nicotine inhalation substance;

12 #creates the criminal offense of illegal distribution of a cannabinoid inhalation product **or**
cannabinoid inhalation substance ;

13 #clarifies that a cannabinoid product does not include an electronic cigarette; and

14 #defines terms.

15 **Money Appropriated in this Bill:**

2 Line 729 through 742:

729 Section **76-9-1120** . is enacted to read:

730 **76-9-1120** Unlawful sale of a cannabinoid inhalation product **or cannabinoid inhalation**
substance .

731 (1) As used in this section:

732 (a) "Cannabinoid inhalation product" means an electronic cigarette that contains a

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HB0265S01

Action Class
H

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733 cannabinoid.

(b) "Cannabinoid inhalation substance" means a substance containing a cannabinoid that is used or intended for use in an electronic cigarette.

734 ~~{(b)}~~ **(c) "Compensatory service" means service or unpaid work performed by an employee,**

735 in lieu of the payment of a fine or imprisonment.

736 ~~{(e)}~~ **(d) "Employee" means an employee or an owner of a retailer.**

737 (2) An actor commits unlawful sale of a cannabinoid inhalation product **or cannabinoid inhalation substance** if the actor:

738 (a) is an employee; and

739 (b) intentionally or knowingly sells or gives a cannabinoid inhalation product **or cannabinoid inhalation substance** in the

740 course of business to an individual.

741 (3) A violation of Subsection (2) is:

742 (a) on a first violation:

Respectfully,

Jon Hawkins
Chair

Voting: 8-0-2