

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB49

Hearing Date: Thursday March 04, 2021
Committee On: Judiciary
Introducer: Hansen, M.
One Liner: Change penalty for use of tobacco or nicotine products by a person under twenty-one years of age

Roll Call Vote - Final Committee Action:

Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Brandt, DeBoer, Geist, Lathrop, McKinney, Morfeld, Pansing
Brooks, Slama

Nay:

Absent:

Present Not Voting:

Oral Testimony:

Proponents:

Senator Matt Hansen
Spike Eickholt

Representing:

Introducer
Nebraska Criminal Defense Attorneys Association

Opponents:

Representing:

Neutral:

Representing:

Submitted Written Testimony:

Proponents:

Spike Eickholt

Representing:

ACLU of Nebraska

Opponents:

Julie Erickson

Representing:

American Cancer Society Action Network

Neutral:

Representing:

Summary of purpose and/or changes:

LB 49 proposes to change the penalty for someone under the age of twenty-one smoking cigarettes or cigars, or using other tobacco or nicotine products, from a Class V misdemeanor to an infraction.

Section by section

Section 1 Amends section 28-1418 that restricts persons under twenty-one smoking cigarettes or cigars, or using other tobacco or nicotine products, to provide a penalty of an infraction rather than the current Class V misdemeanor.

Section 2 Repeals original section.

Explanation of amendments:

Committee Amendment AM531 will add a new subsection (3) to have the section not apply to prescribed nicotine cessation therapies.

Steve Lathrop, Chairperson