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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2448

03/17/2025 Authored by Stier, Joy, Niska, Hudson, Duran and others
The bill was read for the first time and referred to the Committee on Elections Finance and Government Operations

1.1 A bill for an act
1.2 relating to local government; prohibiting local units of government from banning
1.3 sales of flavored tobacco products; amending Minnesota Statutes 2024, section
1.4 461.19.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2024, section 461.19, is amended to read:

1.7 461.19 EFFECT ON LOCAL ORDINANCE; NOTICE RESTRICTIONS.

1.8 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.9 the meanings given.

1.10 (b) "Electronic delivery device" has the meaning given in section 609.685, subdivision
1.11 1.

1.12 (c) "Flavored product" means a tobacco, tobacco-related device, electronic delivery
1.13 device, or nicotine or lobelia delivery product that imparts a taste or smell, other than the
1.14 taste or smell of tobacco, that is distinguishable by an ordinary consumer prior to or during
1.15 consumption of the product, including but not limited to the taste or smell of chocolate,
1.16 cocoa, fruit, honey, menthol, mint, vanilla, wintergreen, or any candy, dessert, alcoholic
1.17 beverage, herb, or spice.

1.18 (d) "Nicotine or lobelia delivery product" means a product described in section 609.6855.

1.19 (e) "Tobacco" has the meaning given in section 609.685, subdivision 1.

1.20 (f) "Tobacco-related device" has the meaning given in section 609.685, subdivision 1.

2.1 Subd. 2. Local ordinance; notice. Sections 461.12 to 461.18 do not preempt a local
2.2 ordinance that provides for more restrictive regulation of sales of tobacco, tobacco-related
2.3 devices, electronic delivery devices, and nicotine and lobelia delivery products. A governing
2.4 body of a county, home rule charter or statutory city, or town shall give notice of its intention
2.5 to consider adoption or substantial amendment of any local ordinance required under section
2.6 461.12 or permitted under this section. The governing body shall take reasonable steps to
2.7 send notice by mail at least 30 days prior to the meeting to the last known address of each
2.8 licensee or person required to hold a license under section 461.12. The notice shall state the
2.9 time, place, and date of the meeting and the subject matter of the proposed ordinance.

2.10 Subd. 3. Flavored product ban prohibited. Notwithstanding any law, rule, or ordinance
2.11 to the contrary, the governing body of a county, home rule charter or statutory city, or town
2.12 may not impose a ban on sales of flavored products, nor provide by ordinance a restrictive
2.13 regulation of flavored products such that no flavored products may be sold within the
2.14 boundaries of the county, home rule charter or statutory city, or town.

2.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.