

**TWENTIETH COMMONWEALTH OF THE NORTHERN
MARIANA ISLANDS YOUTH CONGRESS**

6TH REGULAR Session, 20 **26**

Y.C.B. No. 20- **02**

A BILL FOR AN ACT

To reduce access and possession of
vaporizers and vaporizable products
amongst school-age children in the CNMI.

**BE IT ENACTED BY THE TWENTIETH COMMONWEALTH OF THE
NORTHERN MARIANA ISLANDS YOUTH CONGRESS:**

1 **Section 1. Findings and Purposes.** A recent CNMI Public School System
2 report indicates that there is an alarming increase in the use of vaporizers amongst
3 school-age children in the CNMI. The increasing use of these products among
4 children is a public health concern because vaporizers, such as e-cigarettes, vape
5 pens, and other electronic nicotine delivery systems, and vaporizable products, such
6 as vape juice and e-liquids, pose significant health risks to their users. The purpose
7 of this legislation is to reduce access and possession of vaporizers and vaporizable
8 products amongst school-age children in the CNMI.

9 It is widely known that the use of vaporizers and vaporizable products is
10 harmful to one's health. According to the Centers for Disease Control (CDC), most
11 vaporizable products contain nicotine, which is highly addictive and is harmful to
12 adolescent brain development. The CDC has stated that 99% of vaporizable

1 products sold in assessed venues in the United States contain nicotine. Further, the
2 CDC has found that some vaporizer product labels do not disclose whether the
3 product contains nicotine, and some vaporizer products marketed as containing 0%
4 nicotine have been found to contain nicotine. Nicotine use in adolescence can harm
5 the parts of the brain that control attention, learning, mood, and impulse control.

6 Additionally, regardless of whether the vaporized product contains tobacco
7 or nicotine, vaporizers and vaporizable products are associated with lung injury.
8 According to a February 2022 study reviewed by the Nemours Institutional Review
9 Board, as of February 2020, there were 2,807 vaping use-associated lung injury
10 cases and deaths reported to the CDC—15% of whom were under the age of 18.
11 The study indicates that vaporizer use-associated lung injury coincided with a sharp
12 increase in adolescent vaping product use. Vaporizable products have also been
13 found to contain other harmful substances, such as diacetyl—a chemical linked to
14 a serious lung disease—and other cancer-causing chemicals.

15 The increased use in vaporizers and vaporizable products reported by the
16 CNMI Public School System follows nationwide trends. In 2020, nearly one in four
17 high school students and one in 15 middle school students in the United States
18 reported use of any tobacco product. E-cigarettes were the most commonly used
19 product, accounting for tobacco use in 19.6% of high school students and 4.7% of
20 middle school students.

1 The aforementioned February 2022 study also indicated that 82.9% of the
2 youth who reported vaporizer usage used flavored vaporizable products. The study
3 reported that vaporizers are advertised to target youth, and in 2016, about 7 in 10
4 middle school and high school students said they had seen e-cigarette advertising.

5 At retail establishments in the CNMI, vaporizers and vaporizable products
6 have been displayed alongside or near other check-out line “impulse purchases,”
7 such as candy and gum. Additionally, vaporizable products are often flavored like
8 candy, which increases their appeal to children. For example, products with names
9 or flavors resembling candy, such as "Bubblegum Blast" or "Fruity Rainbow," can
10 attract minors to use these products. Product displays influence youth purchase
11 attempts, encourage impulse purchases, and undermine efforts to curtail youth
12 usage. This legislation seeks to reduce access and possession of vaporizers and
13 vaporizable products by requiring such products be located behind a counter in a
14 secured encasement and placed in such a way that a clerk must assist the customer
15 in accessing the product to complete the transaction.

16 Last, the 2023 CNMI Public School System report indicates that current
17 disciplinary measures for students using vaporizers on public school property has
18 been ineffective. This legislation provides the public school system with another
19 tool to address access and possession of vaporizers and vaporizable products
20 amongst school-aged children by authorizing the confiscation of such items that

1 are found on school property and unlawfully possessed by individuals under the
2 age of 21.

3 Thus, based on the foregoing, the purpose of this legislation is to reduce
4 access and possession of vaporizers and vaporizable products amongst children by
5 requiring such products be located behind a counter and placed in such a way that
6 a clerk must assist the customer in accessing the product to complete the transaction
7 and by authorizing the confiscation of such products if found on public school
8 property.

9 **Section 2. Amendment.** Title 4, Division 5, Chapter 12, Article 1 of the
10 Commonwealth Code is hereby amended to add a new subsection (c) to 4 CMC §
11 50138 to read as follows:

12 “(c) Vaporizers and Vaporizable Products Maintained in a Secured Area. Retail
13 establishments shall not allow self-service access to vaporizers and vaporizable
14 products. Vaporizers and vaporizable products shall not be placed at or near a retail
15 establishment’s check-out counter unless such items are securely encased behind
16 the counter. The secured encasement must not be easily visible or accessible to
17 children and must be displayed away from products that are advertised or marketed
18 to children, such as floor-level candy displays. The access and purchase of
19 vaporizers and vaporizable products shall require a store clerk’s assistance at all
20 retail locations.

1 As used within this subsection, “vaporizers” shall mean any electronic
2 devices designed to heat substances, such as dried herbs, oils, or extracts, to a
3 temperature that produces inhalable vapor without combustion. Vaporizers
4 typically consist of a heating element, a chamber for containing the substance to be
5 vaporized, and a mechanism for delivering the vapor to the user.

6 As used within this subsection, “vaporizable products” means substances
7 intended for use with vaporizers, including, but not limited to, oils, concentrates,
8 extracts, and e-liquids. Vaporizable products are specifically formulated or
9 prepared for vaporization and may contain various ingredients, such as nicotine,
10 flavorings, and other chemicals.”

11 **Section 3. Amendment.** Title 6, Division 3, Chapter 1, Article 4, Section
12 3175(c) of the Commonwealth Code is hereby amended to read as follows:

13 “(c) The Public School System, the Northern Marianas College, and any
14 educational or vocational institutions shall establish by regulation a policy dealing
15 with students who violate this law. This policy shall, at a minimum, include
16 mandatory education classes on the hazards of tobacco use. The Public School
17 System, the Northern Marianas College, and any educational or vocational
18 institutions are authorized to confiscate tobacco products from individuals it
19 reasonably determines are unlawfully in possession of such products under 6 CMC
20 § 3110; provided, such tobacco products are being used or are found on Public
21 School System or Northern Marianas College property.”

1 **Section 4. Severability.** If any provisions of this Act or the application of
2 any such provision to any person or circumstance should be held invalid by a court
3 of competent jurisdiction, the remainder of this Act or the application of its
4 provisions to persons or circumstances other than those to which it is held invalid
5 shall not be affected thereby.

6 **Section 5. Savings Clause.** This Act and any repealer contained herein shall
7 not be construed as affecting any existing right acquired under contract or acquired
8 under statutes repealed or under any rule, regulation, or order adopted under the
9 statutes. Repealers contained in this Act shall not affect any proceeding instituted
10 under or pursuant to prior law. The enactment of the Act shall not have the effect
11 of terminating, or in any way modifying, any liability, civil or criminal, which shall
12 already be in existence on the date this Act becomes effective.

13 **Section 5. Effective Date.** This Act shall take effect upon its approval by
14 the Governor, or its becoming law without such approval.

Prefiled: _____

Date: 02/21/2026

Introduced by: _____


Senator Mathew J. Salas

Reviewed for Legal Sufficiency by:


Legal Counsel