

# **Tobacco-Free Youth Act**

*Introduced by Senator McConnell and Senator Kaine*

For decades, Americans had seen a decline in youth tobacco use, however, in recent years, these rates have dramatically increased. According to the Centers for Disease Control and Prevention (CDC), from 2017 to 2018, youth e-cigarette users increased by 1.5 million, meaning more than 1 in 4 high school students have reported using a tobacco product in the past 30 days.<sup>1</sup> This is the largest single-year increase in youth tobacco usage ever recorded.<sup>2</sup> According to the CDC, any youth tobacco product use, including the use of e-cigarettes, is unsafe.<sup>3</sup>

The use of tobacco products by youth can have long-term effects on their health. The Surgeon General has reported that the brains of youth and young adults are especially vulnerable to the harmful effects of nicotine exposure, including addiction. Early exposure to nicotine may make the developing brain more susceptible to addiction to other drugs like cocaine and methamphetamines. Further, it can also reduce impulse control and cognition, and it can increase the likelihood of developing mood disorders like anxiety and depression.<sup>4</sup>

A 2015 report from the Institute of Medicine found that most adult smokers start smoking before age 21, and that increasing the tobacco age to 21 would save lives, improve public health, and reduce tobacco initiation among youth.<sup>5</sup>

As senators from two states with a long history of tobacco production and consumption, Senator McConnell and Senator Kaine have seen this phenomenon firsthand and heard the compelling stories from concerned constituents throughout their states. In response, the two Senators are introducing the Tobacco-Free Youth Act to help stem the tide of these alarming trends by raising the minimum federal age to purchase tobacco products to 21.

The Tobacco-Free Youth Act would ensure that states and the federal government raise the purchasing age for all tobacco products, including e-cigarettes and vapor

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<sup>1</sup> <https://www.cdc.gov/vitalsigns/youth-tobacco-use/index.html>

<sup>2</sup> <https://www.cdc.gov/media/releases/2019/t0211-tobacco-youth-rising.html>

<sup>3</sup> <https://www.cdc.gov/vitalsigns/youth-tobacco-use/index.html>

<sup>4</sup> [https://www.cdc.gov/tobacco/data\\_statistics/sgr/e-cigarettes/pdfs/2016\\_sgr\\_entire\\_report\\_508.pdf](https://www.cdc.gov/tobacco/data_statistics/sgr/e-cigarettes/pdfs/2016_sgr_entire_report_508.pdf)

<sup>5</sup> Institute of Medicine, Public Health Implications of Raising the Minimum Age of Legal Access to Tobacco Products <http://iom.nationalacademies.org/Reports/2015/TobaccoMinimumAgeReport.aspx>

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products, from 18 to 21 for all populations. The bill amends and updates the two relevant laws that encouraged, established, and provided for enforcement of a minimum age of 18 for purchasing tobacco products—the Public Health Service Act and the Federal Food, Drug and Cosmetic Act. The bill makes clear that it would be unlawful for retailers to sell tobacco products to anyone younger than 21, and that states may enact laws with higher minimums if they choose.

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