

# **Policy Priorities for Tobacco Control & Health Equity**



**Nevada Tobacco Control  
& Smoke-free Coalition**

# Agenda

PART 1

## **NTCSC: Our Mission and Vision**

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PART 2

## **The Toll of Tobacco**

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PART 3

## **NTCSC Policy Priorities**

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# Our mission is simple and impactful:

Improve the health of all Nevadans by advocating to eliminate exposure to secondhand smoke and vape emissions, expand access to cessation, and reduce commercial tobacco use.





## Why?

We know that reducing the use of commercial tobacco will create healthier lifestyles, help save lives, and provide a healthier environment for all Nevadans and visitors to our state.



## How do we get there?

We know that to be effective leaders for this social change we must work collectively with integrity and devotion to a common purpose.

NTCSC knows that working to create a tobacco free environment will ultimately lead to a healthier Nevada.

# The Toll of Tobacco In Nevada

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**29% of cancer deaths**

are attributable to smoking.

**\$1.25 billion**

annual health care cost  
attributable to smoking.

**4,100 adults die**

each year from their own  
smoking.

**\$160.1 million**

Medicaid cost attributable to  
smoking.

**An estimated \$75.3 million spent by the tobacco industry**

marketing their products each year.



# The Toll of Tobacco In Nevada

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**17.5% of high school students** used electronic vapor products at least one day in the past 30 days.



**10.6% of adults** smoked combustible cigarettes at least one day in the past 30 days.

**It is anticipated the numbers of Nevada youth who use tobacco will increase in step with the nationwide epidemic.**

# The Toll of Tobacco

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Exposure to secondhand smoke from burning and exhaled products causes disease and premature death among nonsmokers. **There is no risk-free level of secondhand smoke, and even brief exposure can cause immediate harm.**

Secondhand smoke causes an estimated **34,000 heart disease deaths and more than 7,300 lung cancer deaths each year** in the U.S. Secondhand smoke can increase stroke risk by 30%.

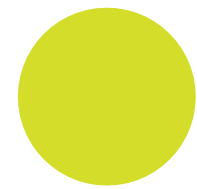
Ventilation, air filtration and designated smoking areas are **ineffective in protecting against exposure to smoke and aerosol.**

Annual health care costs in Nevada directly caused by smoking are **\$1.25 billion**, and productivity losses caused by smoking are **\$2.6 billion.**



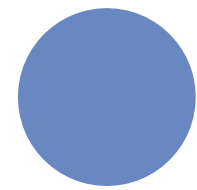


# NTCSC Policy Priorities



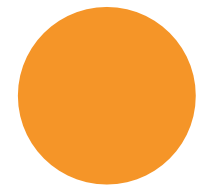
**Tobacco Prevention and Control Funding**

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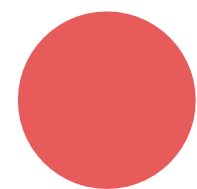
**Nevada Clean Indoor Air Act**

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**Prevent Youth Access Via Tobacco Retailers**

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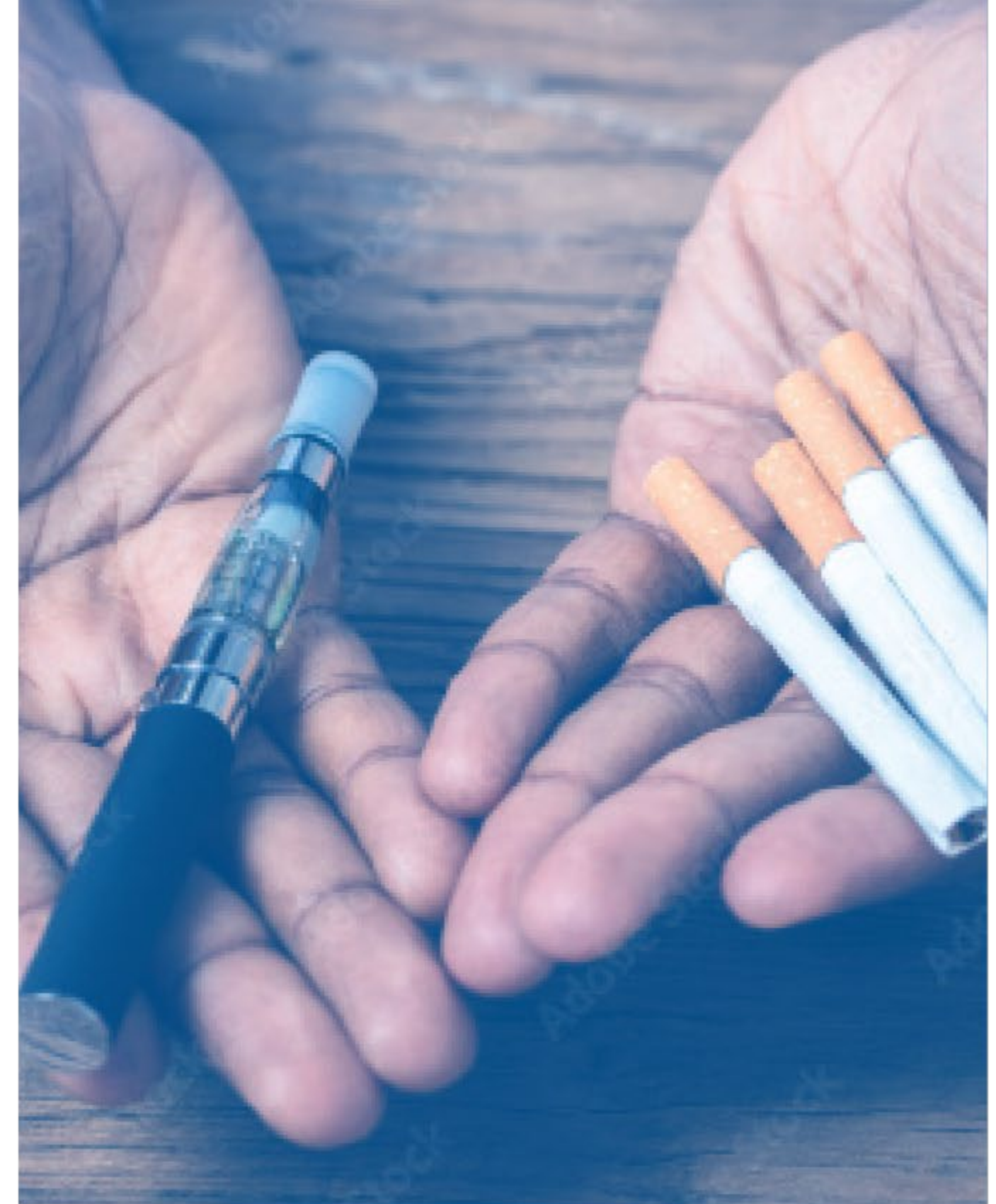
**Restricting Flavoring Additives**





**Nevada Tobacco Control  
& Smoke-free Coalition**

Policy Priority:  
**Tobacco  
Prevention and  
Control Funding**



# Current State Of Nevada Tobacco Control Funding

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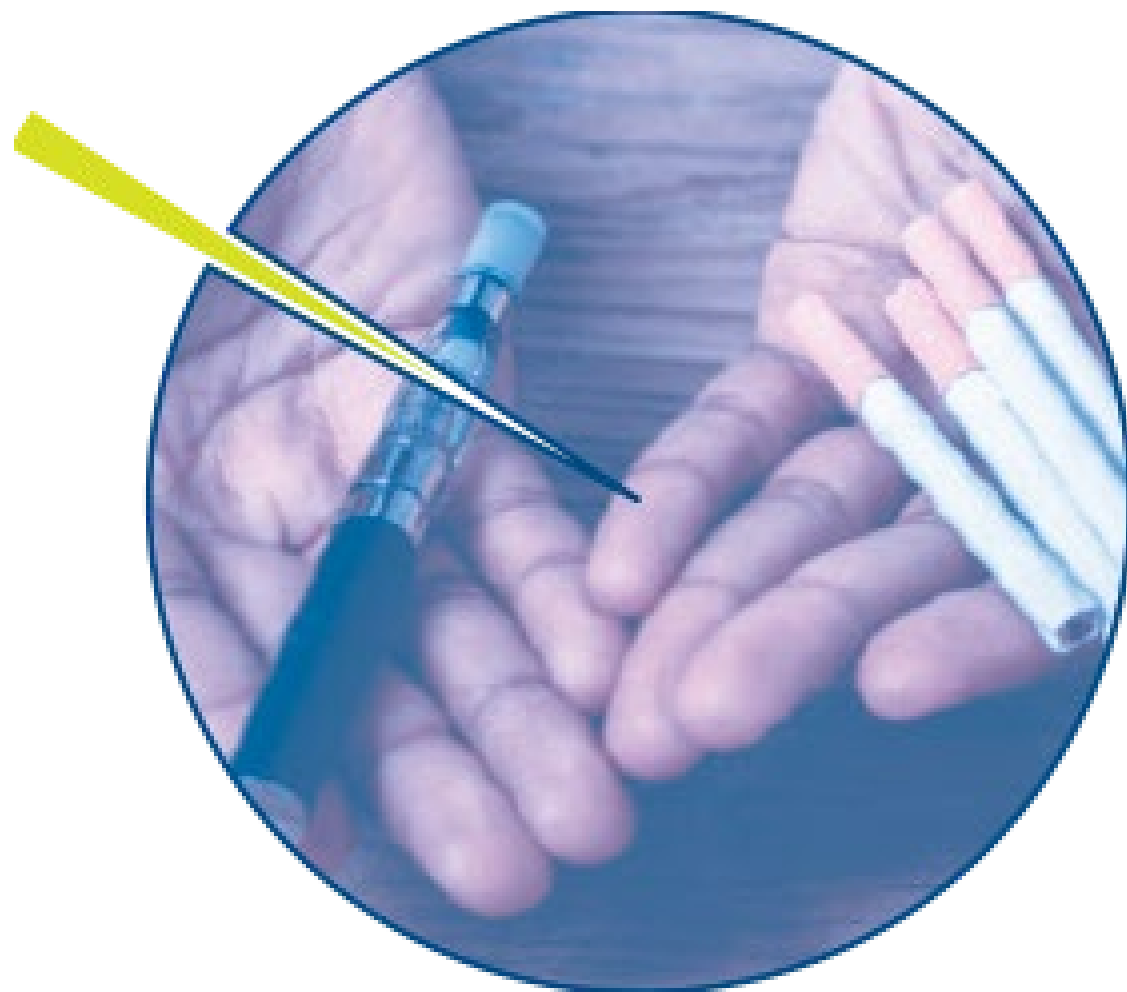
## 2019 Annual Figures

\$217 million total tobacco tax revenue received  
– **Only 1.6% allocated to tobacco control and prevention.**

Received an estimated \$145.2 million of cigarette tax income – **\$0 allocated to tobacco control and prevention.**

Received an estimated \$30.8 million of Other Tobacco Products Taxes – **Only 8% allocated to tobacco control and prevention.**

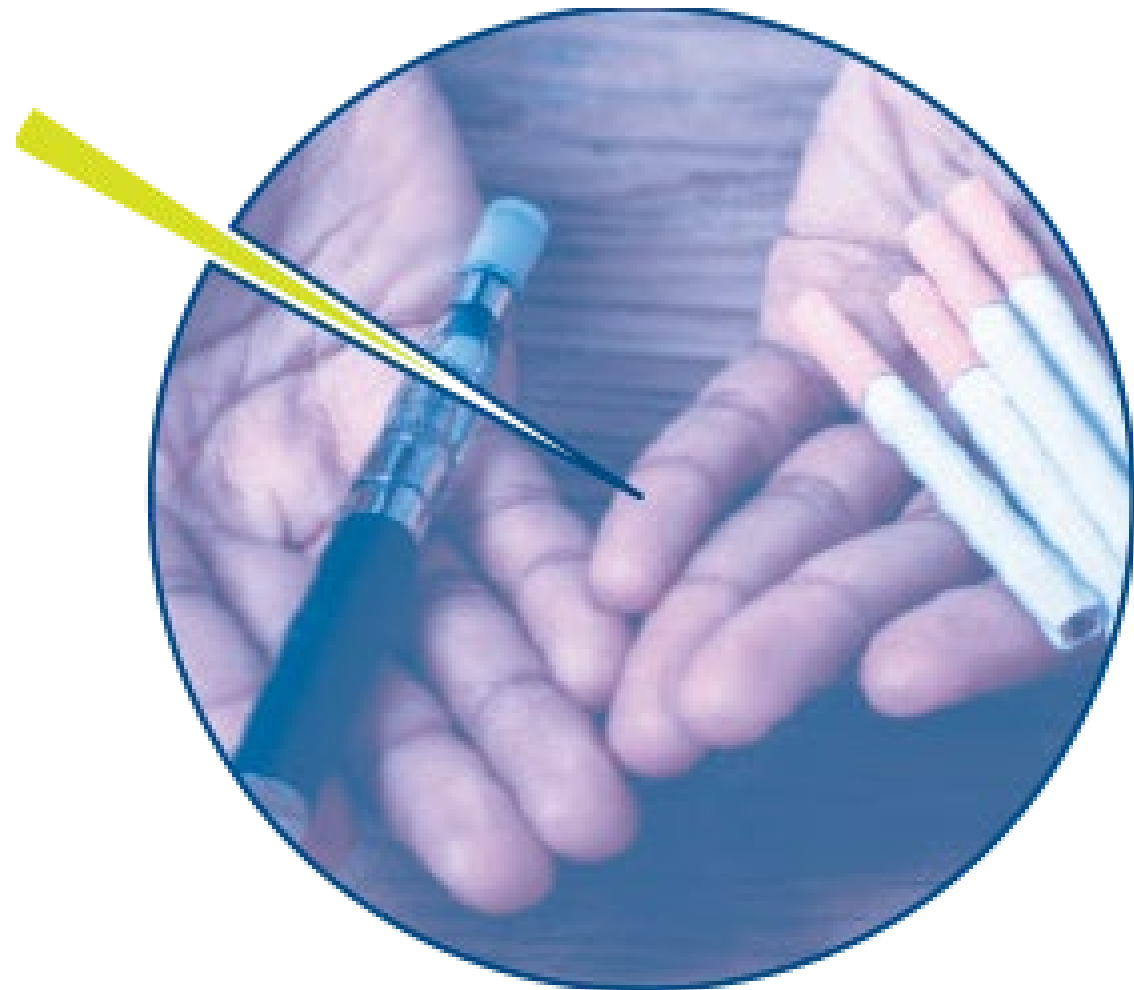
Received an estimated \$41 million from Tobacco Master Settlement Agreement (MSA) – **Only 2% allocated to tobacco control and prevention.**



# Current State Of Nevada Tobacco Control Funding

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**\$3.5 million current annual funding for** tobacco control



Funds at only **11% of the CDC's funding recommendation.**

**Ranks 29th** in state funding in comparison to other states.

Cigarette tax is \$1.80 per pack (enacted July 2015), compared to the **national average of \$1.91.**

The Other Tobacco Products tax has **never been increased in Nevada.**



# Policy Recommendations

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**Increase funding to \$6.2 million annually (\$2 per person).**



**Allocate funding to local communities to implement tobacco control prevention and cessation promotion programs.**

Increasing state tobacco control spending to support educational interventions could significantly decrease high school student vaping and frequency of vaping among high school e-cigarette users.

Increasing state spending on tobacco control by 50% is associated with a **7.46% decrease in the prevalence rate of high school student vaping.**





**Nevada Tobacco Control  
& Smoke-free Coalition**

Policy Priority:

# Nevada Clean Indoor Air Act



# A Brief History

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**November 7, 2006**  
NCIAA was passed by  
a majority of voters



**December 8, 2006**  
NCIAA took effect



**2011**  
State legislators made  
substantial changes to  
NCIAA, including  
**allowing smoking  
and food service  
to resume**  
in stand-alone bars that  
do not allow minors



**2019**  
State legislators  
update NCIAA to  
**include vapor  
products or  
e-cigarettes**

# Nevada Clean Indoor Air Act (NCIAA)

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**The Nevada Clean Indoor Air Act (NCIAA) was passed by a majority of Nevada voters and took effect on December 8, 2006.**

Under the NCIAA, smoking and vaping is prohibited in most indoor public places and indoor places of employment.

The NCIAA includes specific exemptions. Nevada Revised Statute (NRS) 202.2483

Nevadans who are unprotected include those who work in or visit the following places:

- Areas of casinos where minors are prohibited
- Stand-alone bars, taverns, and saloons where minors are prohibited
- Retail tobacco stores
- Strip clubs or brothels
- Convention floors at tobacco-related trade shows





# Current State of Nevada

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The Nevada Clean Indoor Air Act (NCIAA) is intended to **protect adults and children from secondhand smoke and aerosol from electronic vaping products** in most indoor public places.



But exemptions in the law result in **nearly 40% of Nevada's workforce not receiving the clean indoor air protections** most people now take for granted.

**A UNLV study shows Nevada will save \$500 million annually in healthcare costs when comprehensive smokefree laws become law in our state.**

# Legislative Trends

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Smoke-free hospitality venues across the nation are thriving. Even the President of the American Gaming Association agrees that **smoke-free gaming “hasn’t led to a decrease in business.”**



In the U.S., 22 states, Puerto Rico and the U.S. Virgin Islands have **laws in effect that require state-regulated casinos to be smoke-free.** More than 1,150 cities and counties require non-hospitality workplaces, including restaurants and bars, to be 100% smoke-free.

**In Nevada and across the U.S., most people—nearly 87%—do not smoke and prefer smoke-free environments.**

The Navajo Nation, the largest enrolled Native American Tribe, has a law **requiring all its casinos to be 100% smoke-free.**



# NTCSC Policy Recommendations

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**Close the loopholes in Nevada's Clean Indoor Air Act** to protect every employee and visitor of indoor workplaces and public spaces, including minimum distance requirements from entry/exit spaces.



**Establish comprehensive smoke-free** laws that will significantly reduce health spending and save lives in Nevada.

A recent UNLV study shows projected effects of a comprehensive law would result in **health care cost savings of \$500 million annually** associated with emergency and in-patient hospital visits linked to coronary, cerebrovascular and respiratory conditions.<sup>1</sup>



**Nevada Tobacco Control  
& Smoke-free Coalition**

Policy Priority:  
**Youth Access  
Via Tobacco  
Retailers**



# A Brief History

## Historically,

The Tobacco Enforcement Unit at the Nevada Attorney General's Office conducts the Synar compliance checks, and the Food and Drug Administration (FDA) conducts federal compliance checks in Nevada. The Nevada Department of Taxation MSA Enforcement Unit processes tobacco retail, wholesale, and manufacturer licenses for both cigarettes and Other Tobacco Products.

1999

Congress enacted the Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act (PL 102-321), which includes an amendment (section 1926) aimed at decreasing youth access to tobacco. This act includes the Synar amendment (section 1926) requiring states to enact and enforce **laws prohibiting the sale or distribution of tobacco products to individuals under the age of 18.**

2019

The President signed legislation raising the federal minimum age for sale of tobacco products from 18 to 21 years. This legislation **made it illegal for a retailer to sell any tobacco product—including cigarettes, cigars, and e-cigarettes to anyone under 21.**

2021

The Nevada Legislature passed Assembly Bill 59 increasing the minimum age for sales of tobacco to 21 years to align with federal age regulation. In addition, the 2021 Legislature passed Assembly Bill 360 **requiring retailers to utilize ID scanning technology for tobacco sales for anyone under 40 years of age beginning January 1, 2023.**



# Current State of Nevada Tobacco Retailer Compliance

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**Tobacco retailers are selling tobacco products to youth (under 21 years) at an all-time high, reaching an alarming 28%**, and leaving the state out of compliance with the federal Synar program requirement of less than 20%. Nevada is at risk of **monetary and programmatic penalties of up to 40%** of the State's \$17 million Substance Abuse Prevention and Treatment Block Grant funds.

**9.3% of Nevada High School students report obtaining their own cigarettes** by buying them in a store or gas station during the 30 days before the survey.

**15.6% of Nevada High School students reported it was “very easy” to get cigarettes** if they wanted some and another 22.7% reported “fairly easy.”

**26.5% of Nevada High School students reported it was “very easy” to get electronic vapor products** if they wanted some and another 20.9% reported “fairly easy.”



# Policy Recommendations

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## **Increase enforcement and accountability for tobacco retailers.**

While current legislation impacts tobacco sales to Nevada's youth, additional model policy language is necessary to decrease youth access to tobacco.

- Increase compliance checks from once every 3 years to annually. Lengthen time period for prohibiting sales for repeat violations from 24 months to 36 months
- Increase fines for tobacco licensees for repeat violations.
- Include a mechanism to revoke a tobacco retail license for multiple retail sale violations.
- Require mandatory training for retail merchants on responsible tobacco sales.



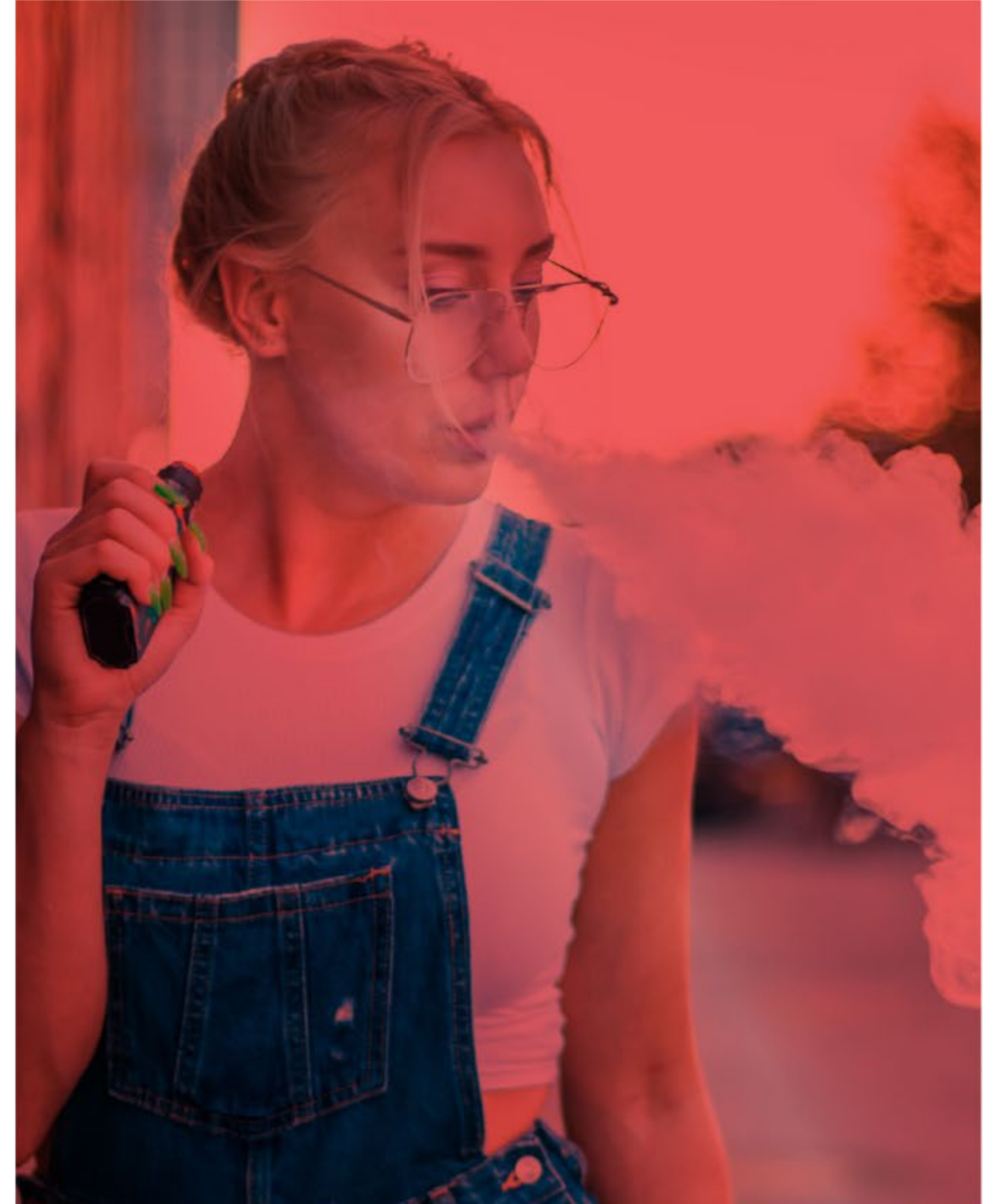
**Support community-based education, including ID checking, responsible tobacco and electronic vapor product sales, tobacco 21 signage.**





**Nevada Tobacco Control  
& Smoke-free Coalition**

Policy Priority:  
**Restricting  
Flavoring  
Additives**





# A Brief History

Flavors such as menthol make it easier to start commercial tobacco use and make it harder to quit.

**1920**

Tobacco companies began **adding menthol to cigarettes to make cigarettes appear less harsh** and **be more appealing** to new and current users.

**1998**

The Master Settlement showed the tobacco industry's **long history of misinformation** about health harms of tobacco use and nicotine addiction to target specific populations.

**2006-2007**

**E-cigs entered the U.S. marketplace**

**2014**

E-cigs began to skyrocket in **popularity among youth.**

**2018**

Both the U.S. Surgeon General and U.S. Food and Drug Administration **declared an “epidemic” of youth e-cigarette use.**

**Present Day**

**Flavored tobacco products remain on the market.**

Research shows that flavored tobacco products have the greatest appeal to youth and play a major role in initiation of tobacco/nicotine product use.



# The Toll of Tobacco: Flavors

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**More than a third of all teens in Nevada have tried vaping and nearly 1 in 5 high schoolers** have vaped in the past 30 days.



**High School Students** who have:  
Ever used vapor products: **36.6%**  
Used in the last 30 days: **17.5%**



**Middle School Students** who have:  
Used vapor products: **12.8%**  
Used in the last 30 days: **5.4%**

# The Toll of Tobacco: Flavors

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In the U.S. **nearly 9 in 10 African American youth ages 12 and older choose menthol cigarettes.**

In the U.S. **nearly 8 of 10 adolescent e-cigarette consumers use a flavored product,** with fruit, candy/desserts/other sweets, mint, and menthol reported as the most popular flavors.

**Nearly 85% of all African Americans who smoke use menthol cigarettes.**



# Policy Recommendations: Flavoring

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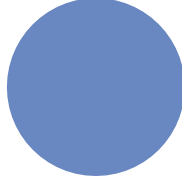
## **Prohibit the sale of all flavored tobacco products.**

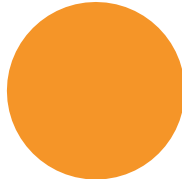
A comprehensive prohibition on the sale of flavored tobacco products provides a significant public health benefit and counters the tobacco industry's marketing tactics and will reduce tobacco use, especially among vulnerable populations.

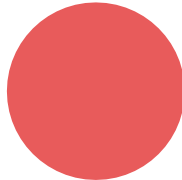
- **A comprehensive model policy** should involve tobacco, nicotine and e-cigarette products (including e-liquids). This policy should also prohibit menthol and mint.
- **Delay (e.g., 6 months) between bill passed and the effective date**, providing tobacco retailers time to sell their existing inventory of flavored tobacco and providing government time to plan for implementation and enforcement.
- **Do not prohibit or penalize the purchase, use, or possession** of flavored tobacco products. **Only tobacco retailers who sell flavored tobacco products should be subject to penalty.**

# What you can do?

-  **Support continuous and increased funding for tobacco prevention and control activities.**

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-  **Support removing exemptions in the Nevada Clean Indoor Air Act for 100% smoke-free workplaces.**

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-  **Support strengthening retail requirements to prevent youth access via tobacco retailers.**

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-  **Support restricting flavoring additives, including menthol, in any tobacco, nicotine or vape products.**

# Additional Resources and Links

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[https://www.tobaccofreekids.org/assets/content/what\\_we\\_do/state\\_localissues/settlement/FY2022/1\\_FY2022\\_Rankings.pdf](https://www.tobaccofreekids.org/assets/content/what_we_do/state_localissues/settlement/FY2022/1_FY2022_Rankings.pdf)  
<https://www.tobaccofreekids.org/problem/toll-us/nevada>  
<https://truthinitiative.org/research-resources/tobacco-prevention-efforts/increasing-funding-state-tobacco-prevention-key>  
<https://www.tobaccofreekids.org/what-we-do/us/statereport>  
<https://www.leg.state.nv.us/App/InterimCommittee/REL/Document/16744>  
[https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Budget/6955/TextNJPH\\_SmokingPolicy\\_Revised\\_2-1.pdf](https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Budget/6955/TextNJPH_SmokingPolicy_Revised_2-1.pdf) (nphaonline.org)  
<https://www.leg.state.nv.us/NRS/NRS-202.html#NRS202Sec2483>  
<https://www.playnj.com/news/bill-miller-aga-president-nj-gambling-smoking-casinos/58724/>  
<http://no-smoke.org/wp-content/uploads/pdf/mediaordlist.pdf>  
<https://getthehealthyclarkcounty.org/wp-content/uploads/2022/06/Nevada-Statewide-Adult-Tobacco-Survey-2022.pdf>  
[https://www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/adult\\_data/cig\\_smoking/index.htm#:~:text=In%202019%2C%20nearly%2014%20of,with%20a%20smoking%2Drelated%20disease](https://www.cdc.gov/tobacco/data_statistics/fact_sheets/adult_data/cig_smoking/index.htm#:~:text=In%202019%2C%20nearly%2014%20of,with%20a%20smoking%2Drelated%20disease)  
<https://www.lung.org/quit-smoking/smoking-facts/health-effects/secondhand-smoke>  
[https://www.ashrae.org/file%20library/about/position%20documents/\\_pd\\_environmental-tobacco-smoke-2020-07-1.pdf](https://www.ashrae.org/file%20library/about/position%20documents/_pd_environmental-tobacco-smoke-2020-07-1.pdf)  
<https://truthinitiative.org/research-resources/harmful-effects-tobacco/impact-secondhand-smoke#:~:text=major%20depressive%20disorder.-,ADULTS,to%2030%20percent%20in%20nonsmokers.>  
Nevada Attorney General's Office – Tobacco Enforcement Unit  
Nevada Division of Public and Behavioral Health – Synar Program  
Tobacco Regulation for Substance Abuse Prevention and Treatment Block Grant Final Rule - 1996  
Tobacco 21 Model Policy, Preventing Tobacco Addiction Foundation  
<http://tobaccofree-ri.org/PolicyBrief-TCLC-Guide.pdf>  
<http://tobaccofree-ri.org/PolicyBrief-FlavorTrap.pdf>  
<https://jacohd.org/wp-content/uploads/2020/05/policy-brief-vaping.pdf>  
<https://www.chicago.gov/content/dam/city/depts/cdph/CDPH/HCPolicyBriefAug2013Menthol.pdf>  
[https://www.changelabsolutions.org/sites/default/files/FlavoredTobaccoProducts\\_FactSheet\\_FINAL.pdf](https://www.changelabsolutions.org/sites/default/files/FlavoredTobaccoProducts_FactSheet_FINAL.pdf)  
<https://www.publichealthlawcenter.org>  
<https://www.fda.gov>  
<https://www.cdc.gov>  
<https://www.tobaccofreekids.org>  
<https://www.unr.edu/public-health/research-activities/nevada-youth-risk-behavior-survey>  
<https://e-cigarettes.surgeongeneral.gov/documents/surgeon-generals-advisory-on-e-cigarette-use-among-youth-2018.pdf>





**Nevada Tobacco Control  
& Smoke-free Coalition**

# Thank you!

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