

February 24, 2025

Rhode Island General Assembly
House Committee on Corporations
Room 101, State House
Providence, RI 02903

RE: House Bill 5329 – *An Act Relating to Taxation – Cigarette and other Tobacco Products-*
NECSEMA OPPOSES

Dear Members of the House Committee on Corporations:

The New England Convenience Store & Energy Marketers Association (NECSEMA) represents convenience stores and gasoline retailers, independent transportation fuel distributors, and the businesses which supply them. NECSEMA members own, operate and/or supply the majority of the 550 convenience stores in Rhode Island. Our members are a significant contributor to Rhode Island's economy, employing over 8,800 people and remitting over \$750 million to the state's tax coffers annually. We play a crucial role in the state's commercial landscape, providing essential goods and services to residents, generating employment opportunities, and contributing to the overall prosperity of local communities.

House Bill 5329, as drafted, would create a new statutory definition for “vape shops”, and would exempt any business meeting said definition from the prohibition on selling flavored electronic nicotine-delivery system (ENDS) products. NECSEMA supports amending the law to remove the ban on flavored ENDS products but is opposed to any legislation that would favor one type of retailer at the expense of others.

Additionally, the definition of “Vape shop” in HB 5329 could prove problematic from a compliance and enforcement perspective. Presumably, many retailers (including our members) could claim to qualify for the exemption under the definition as drafted:

“(3) “Vape shop” means any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of nicotine-delivery system products, liquid nicotine, liquid nicotine containers or vapor products.”

If it is the General Assembly's intention to remove the prohibition on the retail sale of flavored electronic nicotine-delivery system (ENDS) products for all retailers, then NECSEMA supports the measure. However, if the intent is to carve out some unknown quantity of stores that

would qualify as a “vape shop” to give these stores a competitive advantage over convenience stores and other tobacco retailers, then NECSEMA must strongly oppose. Consequently, NECSEMA respectfully requests that this committee oppose HB 5329 as drafted.

Please don't hesitate to contact me if you have any questions or concerns. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Peter A. Brennan', with a stylized flourish extending to the right.

Peter A. Brennan, Esq