

438.306 Retailer to disclose to Secretary of State whether it sells authorized nicotine vapor products -- Secretary of State to maintain list of retailers and provide annual notice to retailers.

- (1) Each retailer shall, upon organizational filing or application for certificate of authority to the Secretary of State and upon its annual report, state whether it is involved in the retail sale of authorized nicotine vapor products.
- (2) The Secretary of State shall:
 - (a) Create a list of retailers that sell authorized nicotine vapor products;
 - (b) Provide the list of retailers created under paragraph (a) of this subsection to the department and the Department of Revenue on a monthly basis; and
 - (c) Prior to June 30 of each calendar year, as a part of the electronic notification reminder to each business to submit its annual report, notify retailers that a tobacco, nicotine, or vapor product license is required to sell authorized nicotine vapor products.

Effective: April 10, 2026

History: Amended 2026 Ky. Acts ch. 70, sec. 3, effective April 10, 2026. -- Amended 2025 Ky. Acts ch. 78, sec. 24, effective March 24, 2025. -- Created 2024 Ky. Acts ch. 111, sec. 2, effective January 1, 2025.

Legislative Research Commission Note (4/10/2026). 2026 Ky. Acts ch. 70, sec. 18, provides that Sections 2 to 10 of that Act, including the amendments to this statute, shall be retroactive to January 1, 2026.