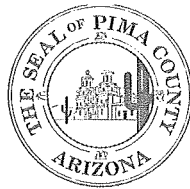


33 N Stone Ave., 11th Floor
Tucson, AZ 85701
(520) 724-2702
district2@pima.gov

DR. MATT HEINZ
Supervisor
District 2



Pima County Board of Supervisors

To: Melissa Manriquez, Clerk of the Board

From: Matt Heinz, Supervisor, District 2

Date: June 17, 2026

RE: June 23, 2026, Regular Agenda: Protecting Youth through Tobacco Retail Licensing –
ADDITIONAL MATERIALS

Please attach this memo -- containing background information provided by the Health Department -- to Agenda item #31, **Protecting Youth through Tobacco Retail Licensing**, on the June 23rd Regular Agenda, and please share with my colleagues. Thank you.

Commercial Tobacco Use

Despite significant progress in tobacco control, commercial tobacco use remains a major public health issue in Arizona—especially among youth. While the state enforces tobacco sales laws, local enforcement and oversight are limited or non-existent. A Tobacco Retail License ordinance at the county level would empower local public health officials to monitor, educate, and hold retailers accountable for illegal tobacco sales, particularly to minors.

Background Regarding Pima County Ordinance Chapter 8.5 Smoking

In 2018, the Health Department Tobacco Prevention Program staff delivered several presentations for the Pima County Board of Health (BOH) regarding the status of youth vaping in Pima County at the BOH request. The presentations highlighted youth vape use data, the program’s response to increasing trends in youth use, and aimed to inform BOH members of local and statewide youth coalition efforts to address this critical public health concern through tobacco control policies.

In response and support of enhancing local youth coalition and health department program’s community-based efforts, the Pima County Board of Health (BOH) requested that the Pima County Board of Supervisors (BOS) consider revising the Pima County, AZ Code of Ordinances, Chapter 8.50 – Smoking in order to: 1) impose the same restrictions and prohibitions on e-cigarette use as those created for commercial combustible tobacco through the State’s Smoke Free Arizona Program, 2) raise the minimum legal sales age to purchase tobacco products from 18 to 21, and 3) create a Tobacco Retail License system that includes regular inspection and enforcement of tobacco retailers in unincorporated Pima County.

Outcome of Community Stakeholder Feedback - 2019

The Health Department established a process to explore community member and retailer feedback regarding the proposed tobacco policy efforts in 2019 to best understand public interpretation and

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support, and to help inform the Board of Supervisors' decisions regarding the proposed ordinance framework:

- Multiple community stakeholder meetings were conducted with representatives from various community organizations, tobacco retailers, and businesses to review the proposed ordinance changes and elicit stakeholder feedback.
- Meetings were held in each of the five Board of Supervisor's districts including metro and rural locations and additional feedback was received online.
- The majority of responses received during the community stakeholder meetings were from representatives of the vaping industry.
- Tobacco retail organizations reprovved the punitive nature of the proposed penalties associated with retailer permit violations; however, they favored a penalty structure that held the retailer, clerk and the buyer responsible for an underage tobacco sale.
- Additional feedback in support of proposed amendments highlighted discussion on the harmful effects of nicotine and addiction, increased use of commercial tobacco products (including vape use) in schools, the need to permit and eliminate bad actors, the need for enforcement and improved health outcomes.
- Additional feedback opposing the proposed amendments included discussion on youth access despite laws, concern about economic impact on businesses and criminalizing youth.

The proposed Pima County ordinance was revised to intentionally reflect a less punitive approach to permitting and was not supported by partner organizations involved in advocating for tobacco control efforts. In September 2019, the Pima County Board of Supervisors did not endorse the proposed amendment.

Tobacco Retail Licensing (TRL) and Pima County Ordinance Chapter 8.5 Smoking - 2026

Although AZ and Pima County do not have a TRL process, TRLs are a common practice in many other states, counties, and municipalities across the nation:

- Evidence from other jurisdictions demonstrates that TRL programs are an effective strategy to reduce youth commercial tobacco access.
- Implementation requires initial investments in outreach, training, technical assistance for policy change, and implementation of inspection efforts.
- TRL supports a comprehensive commercial tobacco control approach by addressing the retail environment, a key modifiable risk factor that influences initiation, continued use, and cessation.

Establishment of a comprehensive Tobacco Retail License (TRL) would:

- Properly define commercial tobacco products.
- Institute a TRL fee structure.
- Have a strong enforcement mechanism
- Reinforce the state and federal legal sales age of commercial tobacco products without penalizing young people for purchase, use or possession of tobacco products.

Local tobacco control policies have a significant impact on public health, the economy, and social behavior. They play a crucial role in preventing youth nicotine addiction, discouraging youth

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tobacco use, improving public health, reducing healthcare costs, changing social norms, and protecting non-tobacco users. Effective public health education, implementation, and enforcement are essential to maximize these benefits.

Future Stakeholder Engagement and Feedback

The Health Department is requesting approval to reconvene a series of community-based stakeholder meetings to review Tobacco Retail Licensing (TRL) and proposed tobacco ordinance changes, elicit feedback, and consider input in final ordinance language for presentation to the Board of Supervisors:

- Stakeholder engagement regarding TRL and the proposed tobacco ordinance amendments will commence over a four-month period once the proposed concept is approved to move forward by the Board of Supervisors.
- The Health Department will work with the Pima County Communications Department to create awareness of the proposed amendments and glean input from retailers and the broader community.
- There will be opportunities for retailers and community members to provide input online.
- There will also be an opportunity for community members to provide input at seven in-person convenings held in geographically dispersed areas (to include Vail, Tanque Verde, Green Valley, Ajo, and Drexel Heights) of unincorporated Pima County.
- Awareness of the proposed ordinance, community convenings, and online survey will be promoted through social media, PCFYI, and print distribution through libraries.
- Additional opportunities to encourage community input will be identified in collaboration with the Economic Development Office.

Stakeholder Feedback Report

The Health Department will review and finalize a comprehensive report incorporating stakeholder feedback related to TRL and tobacco ordinance amendment recommendations. The report will highlight strategies to promote a regional approach to retail licensing and include a proposed implementation plan to initiate awareness education with outreach support for tobacco retailers and community organizations that will align with and reinforce current Tobacco Prevention Program efforts of the Health Department.

Theresa Cullen
Pima County Health Director

cc: Jan Leshner, Pima County Administrator
Steve Holmes, Deputy County Administrator
Theresa Cullen, MD, MS, Pima County Health Director