Lessons learned on implementation and enforcement from the first states to pass e-cigarette registry (directory) laws

AHA Policy Implementation & Outcome Evaluation Report (2026)

Executive Summary

E-cigarette registry or directory laws are regulations that identify products that are sellable in a state. The first three states to pass e-cigarette registry laws in the United States were Alabama (2021), Oklahoma (2021), and Louisiana (2023). Large tobacco industry companies advocate for the enactment of state registries, a strategy to protect market share. On the surface, these laws may seem sensible to some legislators because they are promoted as addressing important problems, youth vaping and the flooding of the market by foreign products. Additionally, there are business interests, since there is demand from vape stores and other retailers to sell a large variety of these products.

However, what has been missing in most discussions about e-cigarette registries is an understanding of what happens in a state once legislation has been passed and the real impact on public health. This review begins to answer these questions by focusing on the implementation and enforcement of e-cigarette registry laws in the three early adopter states, compiling three types of information:

- **Document review**: Documents in the public record were reviewed, including legislation, fiscal notes, registries, media coverage, as well as any other reports that interviewees were able to share. Documents compiled have been included in the Appendix (separate document).
- **Sales data review:** This report includes a summary of two analyses conducted by the CDC Foundation of e-cigarette sales using Circana retail data. The first analysis was presented at the National Conference on Tobacco or Health (NCTOH) conference in August 2025, and the second analysis was presented in a Public Health Law Center webinar in November 2025.
- **Interviews:** A case study was written for each of the three early adopter states based on qualitative interviews with key informants. Key informants included legal and business consultants, advocates, and state government employees.

The terms registry and directory are used interchangeably to mean the listing of products that can be legally sold in a state. In this report we will predominantly use the term registry.

Findings

1. **Interviewees discuss lawmakers' intent of e-cigarette registry laws as a strategy to reduce youth access and keep illegal products off the market.**

2. **Each early adopter state has implemented a process to identify, update and publicize a list of products that can be sold within the state. State registries are large and the number of recognized products in each state has increased since the legislation was passed. As of October 2025, the FDA had provided marketing authorization for 39 products, whereas the early-adopter states included:**
    - Louisiana: 1,300 products
    - Alabama: 2,500 products
    - Oklahoma: 12,000 products
3. **Early adopter states have faced barriers to enforcement of e-cigarette registries.**
    - State employees in Louisiana shared that although not fully resourced, enforcement is ongoing and requires a major commitment.
    - State employees in Alabama were not available to be interviewed (likely due to current registry litigation). Advocates and legal consultants interviewed reported that the registry is not currently enforced.
    - State employees in Oklahoma shared that no one has the authority to enforce the current registry, so it is not enforced.
4. **Early adopter states have found enforcement of e-cigarette registries to be labor-intensive and costly.**
    - In Louisiana the fiscal note for the e-cigarette registry legislation was almost $15m to be used for enforcement.
    - In Alabama legislation passed in 2025 (but paused due to litigation) allocated over $800,000 annually for implementation and enforcement.
    - In Oklahoma the proposed legislation to enable the enforcement of the registry estimated this cost at over $8m.
5. **E-cigarette registry legislation in each of the early adopter states has been modified multiple times.**
    - Advocates in Louisiana say that there has been modifying legislation introduced during every regular and special session since the initial passage.
6. **None of the early-adopter registry states show evidence that these laws have led to sustained, if any, reductions in e-cigarette sales***.
    - In Louisiana after an initial dip, e-cigarette sales are increasing.
    - In Alabama and Oklahoma, the e-cigarette sales continued to increase after implementation of the registry law.

7. **None of the early-adopter registry states show evidence that these laws significantly reduce sales of the types of e-cigarette products that are most often utilized by youth*.**
    - In each of the three states non-tobacco flavored products continue to dominate the market.
    - None of the three states see a decrease in disposable products that outpaces what is seen nationally.

Limitations and Additional Research Needed

This review is limited in its scope. It provides insights into the experiences of early adopter states based on the availability of key informants and data. The number of interviews per state was limited to 10. Although diverse perspectives were explored by interviewing legal and business consultants, advocates, and state government employees, this was not consistent across the three states. In Alabama no state government employees were interviewed and only four interviews were conducted due to lack of access. The information shared was based on the knowledge and discretion of the interviewee. Beyond the public posting of the registry there appears to be no required reporting of enforcement. Analysis of sales data is limited since it does not include sales from vape shops, tobacco specialty stores or online sales.

Additional research and monitoring are needed to fully understand the impact of e-cigarette registry legislation. This should include an analysis of youth vape use, poly-substance use and sales data analysis that includes specialty store and online sales data. Research exploring how e-cigarette registry legislation has impacted the exposure to harmful e-cigarette products, as well as the allocation of tobacco prevention and cessation resources is also needed.

Summary

State legislators with a genuine desire to protect young people and address youth vaping are often presented with policy options that are framed as public health solutions but may largely serve the interests of the tobacco and nicotine industry. Early research indicates e-cigarette registry legislation is expensive to enforce, does not have a positive public health impact or reduce youth uptake and utilization and is expensive to enforce. This contrasts with evidence based public policy approaches like removing flavored products from the marketplace, increasing tobacco excise taxes and comprehensive coverage for FDA-approved nicotine replacement and cessation therapy that are impactful and most often opposed by the tobacco industry. Comprehensive public policy advocacy and communication strategies are needed to effectively protect public health and combat an aggressive industry that is trying to sustain market share and nicotine addiction.

* Ali FRM, Boelter M. National updates on e-cigarette registry laws and implications for public health [webinar]. Katz M, moderator. Public Health Law Center; November 11, 2025. Accessed February 12, 2026. https://www.publichealthlawcenter.org/webinar/national-updates-e-cigarette-registry-laws-and-implications-public-health