

**RESOLUTION TO ENCOURAGE PROTECTING OUR YOUTH FROM NICOTINE,
CANNABIS PRODUCTS, AND OTHER ILLICIT SUBSTANCES**

WHEREAS, the community served by Transylvania County Board of Education has experienced a growing number of smoke shops in its area that sell nicotine, cannabis, and other intoxicating products; and

WHEREAS, the proliferation of smoke shops would result in undesirable impacts to the Transylvania County Schools community, including increased potential for minors to be exposed to and therefore use nicotine, cannabis, and other intoxicating products; adverse health consequences of using these products; and heightened risk of negative aesthetic impacts, and blight; and

WHEREAS, the Transylvania County Board of Education has witnessed an increase in youth vaping devices that contain both nicotine and THC; and

WHEREAS, nicotine and cannabis is harmful to developing brains, and its use during adolescence can disrupt the formation of brain circuits that control attention, learning, and susceptibility to addiction; and

WHEREAS, most North Carolina young people obtain nicotine and cannabis products from retailers. North Carolina young people who get e-cigarettes from friends primarily get them from friends who are under 21; and

WHEREAS, in 2019, Congress increased the federal minimum legal sales age of all nicotine products, including e-cigarettes, from 18 to 21. While a majority of states have increased their minimum nicotine sales age to 21 to match federal law, North Carolina's minimum sales age remains 18; and

WHEREAS, all states with legalized recreational cannabis prohibit purchase by persons under age 21; and

WHEREAS, having the same legal sales age of 21 for all nicotine, cannabis, and other illicit products reduces the burden on retailers and assists in the prevention of minors from gaining access to such products; and

WHEREAS, edible products containing THC and other intoxicating substances are packaged so they appear similar to popular children's snacks; and

WHEREAS, North Carolina is capable of implementing an efficient and effective tobacco, cannabis, and illicit substance retailer permitting system based on the system already in place for alcohol retailer permitting; and

WHEREAS, establishing a retailer permitting system AND raising the minimum legal sale age to 21 will:

- Allow the state to know where cannabis, tobacco, and other illicit substances are being sold
- Improve merchant education efforts
- Allow the state to inspect for responsible retail practices
- Prevent and reduce youth use of highly addictive products
- Help eliminate or minimize the use of nicotine, cannabis, and other emerging intoxicating products amongst youth
- Reduce any confusion among retailers and consumers by having one legal sales age for state and federal law; and

WHEREAS, N.C.G.S. § 14-313 preempts local authority to adopt regulations regarding the sale, distribution, display, and promotion of tobacco products. The state has the authority to resolve this problem to protect minors; and

WHEREAS, N.C.G.S. § 14-313, nor any other North Carolina law prevents local authority from enacting ordinances, rules, or regulations regarding the sale, distribution, display, or promotion of THC products or other illicit substances; and

WHEREAS, N.C.G.S. § 160A-174 allows cities define, prohibit, regulate, or abate acts or conditions detrimental to the health, safety, or welfare of its citizens; and

WHEREAS, N.C.G.S. § 153A-121 allows counties to define, regulate, prohibit, or abate acts or conditions detrimental to the health, safety, or welfare of its citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

That the Transylvania County Board of Education supports legislative and regulatory changes for North Carolina, Transylvania County, Brevard, and Rosman to protect our children and youth from addiction to nicotine, cannabis, and other intoxicating products by establishing a retailer permitting system, establishing a minimum age for sales of 21, and creating regulations or ordinances regarding the sale and advertising of cannabis and other illicit substance products.

READ, APPROVED AND ADOPTED, THIS THE ____ DAY OF JULY 2025.

Board Chair

Superintendent and Ex-Officio Secretary