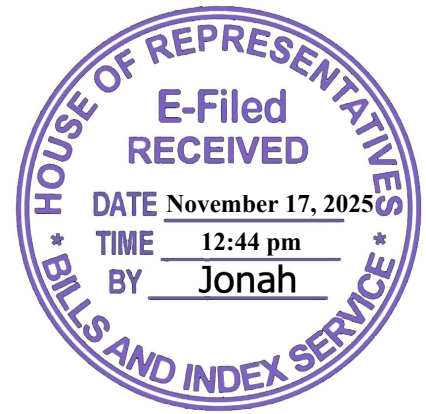


TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES
HOUSE BILL No. 6032

INTRODUCED BY HON. RICARDO S. CRUZ, JR.

EXPLANATORY NOTE

The Constitution mandates the State to protect and promote the right to health of the people and to instill health consciousness among them. In the fulfillment of this constitutional duty, it is imperative to address the growing threat posed by the increasing use of heated tobacco products (HTPs) and vapor products, or most commonly known as "vapes" within educational institutions.

The Department of Science and Technology - Food and Nutrition Research Institute (DOST-FNRI) presented alarming data on the surge in vape use among the youth. In 2021, over 37,000 young individuals were recorded as vape users. By 2023, this figure had risen dramatically by over 1,000%, reaching approximately 423,000 users¹. This trend aligns with previous research, reinforcing concerns about youth e-cigarette use in the Philippines. The 2019 Global Youth Tobacco Survey reported that 14.1% of Filipino students aged 13 to 15 had already used e-cigarettes². Additionally, the 2019 National Nutrition Survey revealed that 44% of e-cigarette users in the country were non-smokers³.

Worsening the issue is the deliberate design of many modern vape devices to resemble everyday school items, such as USB flash drives and pens⁴, making them easy to conceal and difficult to detect. This deceptive appearance allows students to

¹ ABS-CBN News (2025, March 05). Medical groups declare alcohol, tobacco and vape epidemic among youth

<https://www.abs-cbn.com/news/health-science/2025/3/5/medical-groups-declare-alcohol-tobacco-and-vape-epidemic-among-youth-2026>

² Centers for Disease Control and Prevention, (November 2024). "Philippines GYTS 2019 Fact Sheet (Ages 13-15)," GJSS Academy
https://drupal.gtssacademy.org/wpcontent/uploads/2024/11/Philippines-GYTS-2019-Factsheet-Ages-13-15-Final_508tag.pdf

³ Philippine Information Agency (2025 March 11). "Regulating the growing e-cigarette industry,"
<https://pia.gov.ph/regulating-the-growing-e-cigarette-industry/7utm>

⁴ Centers for Disease Control and Prevention, "E-cigarettes shaped like USB flash drives: Information for parents, educators and health care providers," CDC Archive (n.d.), accessed 23 June 2025,
https://archive.cdc.gov/www_cdc_gov/tobacco/basic_information/ecigarettes/factsheet/index.html?utm

bring and use these devices inside classrooms and campuses, often without the knowledge of teachers or parents, thereby undermining school policies and exposing peers to harmful secondhand aerosol emissions.

The problem is further intensified by the widespread use of flavored vapes in fruity or dessert-like variants, which are especially appealing to adolescents. A study published in the *Philippine Journal of Health Research and Development*⁵ emphasized that these flavors significantly contribute to youth experimentation and sustained use.

The serious health consequences of vaping are no longer hypothetical. In 2024, the Philippines reported its first documented death related to E-cigarette or Vaping Associated Lung Injury (EVALI). The 22-year-old victim, previously healthy, suffered a fatal heart attack caused by severe lung damage from daily vape use over two years⁶. This tragic case dispels the myth that vaping is a safe alternative to smoking and highlights the urgent need for strong preventive measures.

The unchecked presence of HTPs and vapes in school settings not only endangers students' health and development but also disrupts the learning environment. While Republic Act No. 11900 or the "Vaporized Nicotine and NonNicotine Products Regulation Act" prohibits the use of HTPs and vapes on school premises, it fails to address their use or possession in areas immediately surrounding educational institutions. This legislative gap leaves schools and its nearby areas vulnerable to becoming breeding grounds for nicotine addiction among the youth. It is imperative to explicitly protect all educational institutions as vape-free spaces that promote health, wellness, and positive behavior.

This proposed measure seeks to prohibit the possession and use of HTPs and vapor products, including its consumables and devices in all educational institutions, whether public or private, and regardless of the user's age or position. Violations shall be met with graduated penalties, including written warnings, fines, and mandatory community service. Educational institutions shall be required to formulate and enforce anti-vaping policies, conduct awareness and prevention campaigns, and coordinate with local government units and law enforcement agencies to ensure effective implementation.

By enacting this measure, we reaffirm our commitment to safeguarding the health and well-being of the Filipino youth, upholding the sanctity of educational spaces, and strengthening the country's broader public health campaign against nicotine addiction and novel tobacco products.

⁵ Samantha J. Ackary, Patrik J. D. L. Cabrera, Alen J. A. Santiago, and Gianna G. H. Amul. (2025, February 13) "Examining the flavor descriptors of e-cigarettes, heated tobacco products, and nicotine pouches in the Philippines: Regulatory challenges and opportunities," *PLOS Global Public Health* 5, no. 2e0004248, <https://doi.org/10.1371/journal.pgph.0004248>.

⁶ Dr. Ma. Eloisa Tan, (2025, February 13) "The Philippines' Vaping Epidemic," *Lockton News & Insights*, <https://global.lockton.com/ph/en/news-insights/the-philippines-vaping-epidemic>

In line with the policy adopted by its original proponent Senator Pia S. Cayetano, this bill therefore serves as a counterpart measure. It is for the reasons stated above that the passage of this measure is earnestly sought.


RICARDO S. CRUZ, JR.

TWENTIETH CONGRESS OF THE)
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First Regular Session)

HOUSE OF REPRESENTATIVES
HOUSE BILL No. 6032

INTRODUCED BY HON. RICARDO S. CRUZ, JR.

AN ACT
PROHIBITING THE POSSESSION AND USE OF HEATED TOBACCO
PRODUCTS AND VAPOR PRODUCTS, INCLUDING ITS CONSUMABLES AND
DEVICES IN ALL EDUCATIONAL INSTITUTIONS, PROVIDING PENALTIES
THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. *Short Title.* – This Act shall be known as the "*NO HTPs and Vapes in School Act.*"

Sec. 2. *Declaration of Policy.* – It is the policy of the State to protect and promote the right to health of all Filipinos, especially the youth, and to instill in them a strong sense of health consciousness and personal responsibility. Recognizing the harmful effects of heated tobacco products and vapor products, particularly the physical, mental, and developmental well-being of the youth, the State shall ensure that all educational institutions, whether public or private, and at all levels of basic and higher education, are maintained as 100% vape-free environments. These institutions must be safe, health-promoting spaces that foster academic excellence, discipline, and the holistic development of learners, free from the influence and harms of addictive and harmful substances.

Sec. 3. *Definition of Terms.* As used in this Act:

- a) *Educational Institution* – refers to schools, colleges, universities, training centers, or any other institutions engaged in formal, non-formal, or technical-vocational education at any level, whether public or private. This

term includes institutions under the supervision and regulation of the Department of Education (DepEd), the Commission on Higher Education (CHED), and the Technical Education and Skills Development Authority (TESDA).

- b) *Heated Tobacco Products (HTPs)* – also referred to as Heated Tobacco Product (HTP) Consumables or Heat-Not-Burn Product Consumables, shall refer to tobacco products that are intended to be consumed through heating tobacco, either electronically or through other means, sufficient to release an aerosol that can be inhaled, without combustion of the tobacco. HTP Consumables or Heat-Not-Burn Product Consumables may also include liquid solutions and gels that are part of the product and are heated to generate an aerosol. HTPs may or may not operate by means of an HTP Device.
- c) *Heated Tobacco Product Device or HTP Device* – shall refer to the component or combination of components of an HTP System intended to be used in combination with HTP Consumables that generate an aerosol without combustion.
- d) *Vapor Products* – also referred to as Vapor Product Refills, shall refer to the liquid, solid, or gel, or any combination thereof, which may or may not contain nicotine, that is transformed into an aerosol without combustion by a Vapor Product Device.
- e) *Vapor Product Device* – shall refer to a device or a combination of devices used to heat a Vapor Product, to produce an aerosol, mist, or vapor that users inhale. These may include combinations of a liquid solution or gel that are heated and transformed into an aerosol without combustion through the employment of a mechanical or electronic heating element, battery, or circuit, and includes, but is not limited to, a cartridge, a tank, or a device without a cartridge or tank.

Sec. 4. *Prohibited Acts.* – It shall be unlawful for any person, including, but not limited to, students, teaching and non-teaching personnel, school officials and administrators, parents, guardians, service providers, and visitors, to commit any of the following acts:

- a) Bring into, possess, or carry any HTP, HTP device, vapor product, or vapor product device, within the premises of any educational institution;
- b) Use, consume, or operate any HTP, HTP device, vapor product, or vapor product device, within the premises of any educational institution;
- c) Bring, possess, carry, use, consume, or operate HTP, HTP device, vapor product, or vapor product device within a two hundred (200) meter radius from any point of the perimeter of an educational institution.

Sec. 5 Duties of Educational Institutions – All educational institutions, whether public or private, offering basic or higher education, shall be responsible for maintaining a vape-free environment and shall undertake the following duties:

- a) Adopt and implement institutional policies that are fully aligned with the provisions of this Act, including disciplinary measures and internal reporting mechanisms for violations;
- b) Integrate regular education and information campaigns, in consultation with the Department of Health (DOH), in school activities to raise awareness on the health risks and harmful effects of HTP, HTP device, vapor product and vapor product device;
- c) Install clear, highly visible, and permanent signages in strategic areas within school premises declaring the prohibition of the possession, use, and sale of HTP, HTP device, vapor product, and vapor product device;
- d) Establish coordination protocols with local government units, DepEd, CHED, TESDA, and law enforcement agencies to ensure effective implementation, enforcement, and monitoring of this Act.

Sec. 6. Penalties for Violations by Individuals and Educational Institutions

- a) Any person found in violation of this Act shall be subject to the following penalties:
 - i) First Offense – Issuance of a written warning and immediate confiscation of the HTP, HTP device, vapor product or vapor product device;
 - ii) Second Offense – A fine of not less than Five Thousand Pesos (Php 5,000) and/or mandatory community service, as may be determined by the appropriate authorities; and

- iii) Third and Succeeding Offenses – A fine of not less than Ten Thousand Pesos (Php 10,000) and/or temporary prohibition from entering the premises of the educational institution for a period to be determined by the school administration or relevant authorities, without prejudice to the filing of further administrative or criminal charges, if warranted.

The following sanctions may likewise be imposed in addition to the aforementioned penalties:

If the violator is a student, disciplinary sanctions shall be imposed in accordance with the school's Student Code of Conduct or Discipline, with full respect for due process, the evolving capacities of the child, and in a manner consistent with the child's best interest, as provided under existing laws and policies.

If the violator is a member of the school personnel, appropriate administrative sanctions shall be imposed in accordance with civil service rules, institutional policies, and other applicable laws and regulations.

If the violator is a visitor or third-party service provider, the educational institution may impose sanctions including removal from the premises, blacklisting, or termination of service contracts, as may be appropriate.

- b) Educational institutions that fail to enforce the provisions of this Act shall be subject to the following penalties:
 - i) First Violation – Issuance of a formal notice of non-compliance and a directive to implement corrective measures within thirty (30) days;
 - ii) Second Violation – A fine of not less than Fifty Thousand Pesos (Php 50,000) and submission of a compliance report within thirty (30) days; and
 - iii) Third and Succeeding Violations – A fine of not less than One Hundred Thousand Pesos (Php 100,000), mandatory attendance of school officials at a public health enforcement seminar, and possible suspension of permits or licenses issued by the DepEd, CHED, and

TESDA, or relevant regulatory agencies, without prejudice to administrative or criminal liability, if warranted.

Sec. 7. *Implementing Rules and Regulations.* Within sixty (60) days from the effectivity of this Act, the DepEd, CHED, and TESDA, in coordination with the DOH and DILG, shall promulgate the necessary implementing rules and regulations.

Sec. 8. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

Sec. 9. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

Sec. 10. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette or a newspaper of general circulation.

Approved,