

HOUSE BILL 1485

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6lr3080

By: **Delegates Waldstreicher, Anderson, B. Barnes, Lam, Rosenberg, Walker, and A. Washington**

Introduced and read first time: February 12, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Other Tobacco Products – Local Laws for Sale and Distribution – Intent of the**
3 **General Assembly**

4 FOR the purpose of stating that it is the intent of the General Assembly that a county or
5 municipal corporation may enact and enforce local laws relating to the sale and
6 distribution of other tobacco products under a certain circumstance and subject to
7 certain exceptions; stating the intent of the General Assembly relating to the holding
8 of a specified case of the Court of Appeals; and generally relating to intent of the
9 General Assembly regarding local laws for the sale and distribution of other tobacco
10 products.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That, except for the issuance of licenses or the regulation of licensees under Title 16.5 of
13 the Business Regulation Article or the imposition of taxes on other tobacco products under
14 Title 12 of the Tax – General Article, it is the intent of the General Assembly that a county
15 or municipal corporation may enact and enforce local laws relating to the sale and
16 distribution of other tobacco products if the local laws are at least as stringent as the
17 provisions of Title 16.5 of the Business Regulation Article.

18 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
19 Assembly that Section 1 of this Act abrogate the holding of the Court of Appeals in *Altadis*
20 *U.S.A., Inc., et al. v. Prince George’s County, Maryland*, 431 Md. 307 (2013).

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2016.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

