

BY: Delegates Pitkin and Cryor

AMENDMENTS TO HOUSE BILL NO. 331

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “minors;” insert “authorizing minors to purchase or attempt to purchase tobacco products under certain circumstances:”.

AMENDMENT NO. 2

On page 1, in line 12, after “404” insert “and 405A”.

AMENDMENT NO. 3

On page 2, after line 27, insert:

“405A.

(a) A minor may not:

(1) Use or, unless acting as the agent of the minor’s employer within the scope of employment, possess any tobacco product or cigarette rolling papers; or

(2) Use any falsified identification, or use any identification other than his or her own, for the purpose of obtaining or attempting to obtain tobacco products or cigarette rolling papers.

(b) For purposes of this section, a violation of the provisions of this section is deemed a Code violation and is a civil offense.

(c) An individual who violates the provisions of this section shall be subject to the procedures and dispositions provided in Title 3, Subtitle 8 of the Courts and Judicial Proceedings Article.

(Over)

(d) A law enforcement officer authorized to make arrests shall issue a citation to a person if the officer has probable cause to believe that the child is committing or has committed a Code violation.

(E) IT IS NOT A VIOLATION OF THIS SECTION FOR A MINOR TO PURCHASE OR ATTEMPT TO PURCHASE TOBACCO PRODUCTS OR CIGARETTE ROLLING PAPERS UNDER THE DIRECTION OF LAW ENFORCEMENT PERSONNEL OR PERSONNEL AUTHORIZED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND LOCAL HEALTH DEPARTMENTS FOR THE PURPOSE OF MONITORING COMPLIANCE WITH § 404 OF THIS SUBHEADING.”.