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By: **Senator Pinsky**  
Introduced and read first time: February 5, 1999  
Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Herbal Cigarettes - Sale to Minors - Prohibition**

3 FOR the purpose of prohibiting the sale or offer for sale of an herbal cigarette to a  
4 minor in this State; specifying a certain penalty for violation of a certain  
5 prohibition; defining a certain term; and generally relating to herbal cigarettes.

6 BY adding to  
7 Article 27 - Crimes and Punishments  
8 Section 406A  
9 Annotated Code of Maryland  
10 (1996 Replacement Volume and 1998 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article 27 - Crimes and Punishments**

14 406A.

15 (A) IN THIS SECTION, "HERBAL CIGARETTE" MEANS A CIGARETTE THAT IS  
16 COMPOSED OF ONE OR MORE HERBS AND IS NOT A TOBACCO PRODUCT AS DEFINED  
17 IN § 404(A)(2) OF THIS ARTICLE.

18 (B) A PERSON MAY NOT SELL OR OFFER FOR SALE AN HERBAL CIGARETTE TO  
19 A MINOR IN THIS STATE.

20 (C) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY OF  
21 A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF \$500.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 1999.