
By: **Senators Ruben, Forehand, Hooper, and Kelley**
Introduced and read first time: January 31, 2003
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Cigarette Licenses - Sealing Vending Machines**

3 FOR the purpose of requiring the Comptroller or the Comptroller's designee to seal
4 certain vending machines that are not in compliance with the tobacco product
5 vending machines law; and generally relating to the sealing of vending
6 machines that sell or dispense cigarettes.

7 BY repealing and reenacting, with amendments,
8 Article - Business Regulation
9 Section 16-220
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 2002 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article - Business Regulation
14 Section 16-3A-02
15 Annotated Code of Maryland
16 (1998 Replacement Volume and 2002 Supplement)

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

19 **Article - Business Regulation**

20 16-220.

21 (a) The Comptroller OR THE COMPTROLLER'S DESIGNEE shall seal a vending
22 machine to prevent the sale or removal of cigarettes from the machine if:

23 (1) a tax stamp is not visible on each visible package of cigarettes in the
24 machine, as required by § 16-209(b)(1) of this subtitle; [or]

25 (2) the machine is not labeled as required by § 16-209(b)(2) of this
26 subtitle; OR

1 (3) THE MACHINE IS NOT OPERATED IN COMPLIANCE WITH § 16-3A-02
2 OF THIS SUBTITLE.

3 (b) If the violation for which a vending machine is sealed has been corrected in
4 the presence of the Comptroller or the Comptroller's designee, the Comptroller shall
5 remove the seal.

6 16-3A-02.

7 A person may not sell or dispense or offer to sell or dispense a tobacco product
8 through a vending machine in the State, unless the vending machine:

9 (1) is located in an establishment that minors are prohibited by law from
10 entering or an establishment that is a bona fide fraternal or veterans organization; or

11 (2) can only be operated with a token, card, or similar device that an
12 individual can only obtain or purchase from the owner or an employee or agent of the
13 owner.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2003.