

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1300  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “circumstances;” insert “providing that additional testing is not required under this Act of cigarettes that are tested in a certain manner for other purposes;”.

On page 2, in line 1, after “date” insert “under certain circumstances; providing for the construction of this Act”.

AMENDMENT NO. 2

On page 2, in line 25, strike “HAS THE MEANING STATED IN § 16-201 OF THIS TITLE” and substitute “MEANS:”

(1) A PERSON THAT MANUFACTURES OR OTHERWISE PRODUCES, OR CAUSES TO BE MANUFACTURED OR PRODUCED, CIGARETTES INTENDED FOR SALE IN THIS STATE, INCLUDING CIGARETTES INTENDED FOR SALE IN THE UNITED STATES THROUGH AN IMPORTER;

(2) THE FIRST PURCHASER ANYWHERE THAT INTENDS TO RESELL IN THE UNITED STATES CIGARETTES THAT THE ORIGINAL MANUFACTURER OR MAKER DOES NOT INTEND FOR SALE IN THE UNITED STATES; OR

(3) A PERSON THAT IS A SUCCESSOR OF A PERSON LISTED IN ITEM (1) OR (2) OF THIS SUBSECTION”.

AMENDMENT NO. 3

On page 4, after line 33, insert:

“(J) THIS SECTION DOES NOT REQUIRE ADDITIONAL TESTING FOR

(Over)

CIGARETTES THAT ARE TESTED IN A MANNER CONSISTENT WITH THE REQUIREMENTS OF THIS SECTION FOR ANY OTHER PURPOSE.”;

and in line 34, strike “(J)” and substitute “(K)”.

AMENDMENT NO. 4

On page 7, in line 22, after “(A)” insert “A MANUFACTURER OR OTHER PERSON THAT KNOWINGLY SELLS OR OFFERS FOR SALE CIGARETTES OTHER THAN BY RETAIL SALE IN VIOLATION OF § 16-602 OF THIS SUBTITLE IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$10,000 FOR EACH SALE.”

(B)”;

in line 24, after “EXCEEDING” insert “:

(1)”;

in line 25, strike the period and substitute “; OR”; in line 26, strike “(B)” and substitute “(2)”; strike beginning with “A” in line 26 down through “EXCEEDING” in line 28; and after line 32, insert:

“(D) A MANUFACTURER THAT KNOWINGLY MAKES A FALSE CERTIFICATION UNDER § 16-603 OF THIS SUBTITLE IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$10,000 FOR EACH FALSE CERTIFICATION.”

AMENDMENT NO. 5

On page 8, in line 14, after “that” insert “:

(1)”;

in line 16, after “2007” insert “; and

(2) the inventories were purchased in calendar year 2006 in a quantity comparable to the inventories purchased during calendar year 2005”;

after line 16, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed to prohibit a person from selling or offering for sale cigarettes that have not been certified in accordance with § 16-603 of the Business Regulation Article, as enacted by this Act, if the cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States.”;

and in line 17, strike “3.” and substitute “4.”.