

SENATE BILL 822

L2

8lr3153

By: **Carroll County Senators**

Introduced and read first time: February 8, 2008

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County – Distribution of Tobacco Products to Minors – Prohibition**
3 **and Penalties**

4 FOR the purpose of prohibiting certain distributions of certain tobacco products,
5 cigarette rolling papers, and tobacco–related coupons to minors in Carroll
6 County; authorizing certain defenses to a violation of this Act; establishing
7 certain civil penalties; and generally relating to the illegal distribution of
8 tobacco and tobacco–related products to minors in Carroll County.

9 BY repealing and reenacting, with amendments,
10 Article 24 – Political Subdivisions – Miscellaneous Provisions
11 Section 15–102.1
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2007 Supplement)

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

16 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

17 15–102.1.

18 (a) In this section, “distribute” means to:

19 (1) Give, sell, deliver, dispense, or issue;

20 (2) Offer to give, sell, deliver, dispense, or issue; or

21 (3) Cause or hire any person to give, sell, deliver, dispense, or issue or
22 offer to give, sell, deliver, dispense, or issue.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) This section applies only in St. Mary's County **AND CARROLL COUNTY**.

2 (c) A person may not:

3 (1) Distribute any tobacco product to a minor, unless the minor is
4 acting solely as the agent of the minor's employer who is engaged in the business of
5 distributing tobacco products;

6 (2) Distribute cigarette rolling papers to a minor; or

7 (3) Subject to subsection (d) of this section, distribute to a minor a
8 coupon redeemable for a tobacco product.

9 (d) Subsection (c)(3) of this section does not apply to the distribution of a
10 coupon that is redeemable for a tobacco product if the coupon:

11 (1) Is contained in a newspaper, magazine, or other type of publication
12 and the coupon is incidental to the primary purpose of the publication; or

13 (2) Is sent through the mail.

14 (e) A person has not violated this section if:

15 (1) The person examined the driver's license or other valid
16 government-issued identification presented by the recipient of a tobacco product,
17 cigarette rolling paper, or coupon redeemable for a tobacco product; and

18 (2) The license or other identification positively identified the recipient
19 as being at least 18 years old.

20 (f) A person who violates this section is committing a civil infraction and is
21 subject to a civil penalty of:

22 (1) \$300 for the first violation; and

23 (2) \$500 for any subsequent violation within a 24-month period from
24 the previous citation.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2008.