

# HOUSE BILL 886

C2, Q7

0lr2225

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By: **Delegates Benson, Nathan–Pulliam, Niemann, and V. Turner**

Introduced and read first time: February 10, 2010

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Cigarette Business Licenses – Sale of Single Cigarettes –**  
3 **Investigation and Penalties**

4 FOR the purpose of authorizing the Comptroller of the State to investigate the sale of  
5 single cigarettes; prohibiting a person from selling, offering for sale, giving  
6 away, or delivering single cigarettes from a vending machine or in a retail  
7 establishment; establishing certain penalties; defining a certain term; and  
8 generally relating to the sale of single cigarettes.

9 BY adding to  
10 Article – Business Regulation  
11 Section 16–224  
12 Annotated Code of Maryland  
13 (2004 Replacement Volume and 2009 Supplement)

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

16 **Article – Business Regulation**

17 **16–224.**

18 **(A) IN THIS SECTION, “SINGLE CIGARETTE” MEANS A CIGARETTE SOLD**  
19 **OR OFFERED FOR SALE INDIVIDUALLY.**

20 **(B) THE COMPTROLLER MAY INVESTIGATE THE SALE OF SINGLE**  
21 **CIGARETTES IN THE STATE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(C) A PERSON MAY NOT SELL, OFFER FOR SALE, GIVE AWAY, OR**  
2 **DELIVER SINGLE CIGARETTES FROM A VENDING MACHINE OR IN A RETAIL**  
3 **ESTABLISHMENT.**

4           **(D) A PERSON WHO OWNS A VENDING MACHINE THAT DISPENSES,**  
5 **SELLS, OFFERS FOR SALE, GIVES AWAY, OR DELIVERS SINGLE CIGARETTES IS**  
6 **SUBJECT TO A PENALTY OF AT LEAST \$100 AND NOT MORE THAN \$500 FOR**  
7 **EACH DAY THAT THE VENDING MACHINE IS DETERMINED TO BE IN VIOLATION**  
8 **OF SUBSECTION (C) OF THIS SECTION.**

9           **(E) A PERSON WHO, DIRECTLY OR INDIRECTLY, AT RETAIL SELLS,**  
10 **OFFERS FOR SALE, GIVES AWAY, OR DELIVERS TO A PERSON A SINGLE**  
11 **CIGARETTE IS SUBJECT TO A PENALTY OF \$250 FOR A FIRST OFFENSE AND \$500**  
12 **FOR A SECOND OR SUBSEQUENT OFFENSE.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2010.