

# HOUSE BILL 442

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2lr2793  
CF SB 249

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By: **Delegate Rosenberg**

Introduced and read first time: January 20, 2022

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Cigarettes, Other Tobacco Products, and Electronic Smoking**  
3 **Devices – Local Laws Authorization**

4 FOR the purpose of authorizing Baltimore City to enact and enforce local laws regulating  
5 the sale and distribution of cigarettes, other tobacco products, and electronic  
6 smoking devices, subject to certain exceptions; and generally relating to the  
7 regulation of cigarettes, other tobacco products, and electronic smoking devices in  
8 Baltimore City.

9 BY adding to

10 Article – Business Regulation  
11 Section 16–308.4, 16.5–104, and 16.7–103  
12 Annotated Code of Maryland  
13 (2015 Replacement Volume and 2021 Supplement)

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

16 **Article – Business Regulation**

17 **16–308.4.**

18 **EXCEPT FOR THE ISSUANCE OF LICENSES UNDER THIS TITLE OR THE**  
19 **IMPOSITION OF TAXES ON CIGARETTES UNDER TITLE 12 OF THE TAX – GENERAL**  
20 **ARTICLE, THE BALTIMORE CITY COUNCIL MAY ENACT AND THE MAYOR OF**  
21 **BALTIMORE CITY MAY ENFORCE LOCAL LAWS THAT ARE AT LEAST AS STRINGENT AS**  
22 **THE PROVISIONS OF THIS TITLE THAT REGULATE THE SALE AND DISTRIBUTION OF**  
23 **CIGARETTES.**

24 **16.5–104.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **EXCEPT FOR THE ISSUANCE OF LICENSES UNDER THIS TITLE OR THE**  
2 **IMPOSITION OF TAXES ON OTHER TOBACCO PRODUCTS UNDER TITLE 12 OF THE**  
3 **TAX – GENERAL ARTICLE, THE BALTIMORE CITY COUNCIL MAY ENACT AND THE**  
4 **MAYOR OF BALTIMORE CITY MAY ENFORCE LOCAL LAWS THAT ARE AT LEAST AS**  
5 **STRINGENT AS THE PROVISIONS OF THIS TITLE THAT REGULATE THE SALE AND**  
6 **DISTRIBUTION OF OTHER TOBACCO PRODUCTS.**

7 **16.7–103.**

8           **EXCEPT FOR THE ISSUANCE OF LICENSES UNDER THIS TITLE, THE**  
9 **BALTIMORE CITY COUNCIL MAY ENACT AND THE MAYOR OF BALTIMORE CITY MAY**  
10 **ENFORCE LOCAL LAWS THAT ARE AT LEAST AS STRINGENT AS THE PROVISIONS OF**  
11 **THIS TITLE THAT REGULATE THE SALE AND DISTRIBUTION OF ELECTRONIC**  
12 **SMOKING DEVICES.**

13           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
14 **October 1, 2022.**