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HOUSE BILL 1597

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Locke, Heavey, Fuhrman, Valle, Vance, Jacobsen, Pruitt, Cole, Belcher, Sheldon, Brekke, H. Myers, Rasmussen and Dorn.

Read first time February 4, 1991. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to restrictions on the sale of tobacco products;  
2 adding a new chapter to Title 70 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.**            As used in this chapter, the term  
5 "tobacco vending machine" means a machine or device designated for or  
6 used for the vending of cigarettes, cigars, tobacco, or tobacco  
7 products upon the insertion of coins, trade checks, or slugs.

8            "Tobacco vending machine" does not include a machine or device that  
9 requires a sale to be conducted in person by the seller or agent of the  
10 seller.

11           NEW SECTION.    **Sec. 2.**            It is unlawful to possess or operate a  
12 tobacco vending machine, unless:

13           (1) The tobacco vending machine is located in a commercial  
14 building, industrial plant, or portion of a commercial building or

1 industrial plant where the public is expressly prohibited and where no  
2 minor employees are usually admitted; or

3 (2) The tobacco vending machine is located on any premises or  
4 portion thereof to which access by minors is expressly prohibited by  
5 law if, and only if, the tobacco vending machine is located fully  
6 within such premises from which minors are prohibited and not less than  
7 ten feet from all entrance or exit ways.

8 NEW SECTION. **Sec. 3.** Any person, governmental entity, or  
9 political subdivision of the state may initiate a civil action in  
10 superior court to enforce the provisions of this chapter. If the court  
11 finds that one or more violations have occurred, the court shall award  
12 the prevailing party its costs, including reasonable attorneys' fees.  
13 The court may also enjoin future violations and impose a civil penalty  
14 of up to one thousand dollars per violation.

15 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act shall  
16 constitute a new chapter in Title 70 RCW.