

SB 6164-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the state director of fire protection to determine for each variety of cigarette sold or proposed for sale in this state whether that variety of cigarette is fire safe.

Provides that a person may not distribute or offer to sell a cigarette within this state unless the cigarette is of a variety the state director of fire protection has listed as fire safe under this act. This provision does not apply to distribution of, or an offer to sell, cigarettes exempted from state taxation.

Provides that a cigarette package or carton may not bear markings, stickers, labeling, or other devices identifying cigarettes contained in the package or carton as fire-safe cigarettes unless the cigarettes are of a variety the state director of fire protection has listed as fire safe under this act.

Authorizes the state director of fire protection to impose a civil penalty for a violation of this act. The civil penalty may not exceed: (1) For a person who distributes or offers to sell cigarettes to a wholesaler or retailer, ten thousand dollars or five times the value of the cigarettes involved in the violation, whichever is greater; or

(2) For a person who distributes or offers to sell cigarettes to the public: (a) For a distribution or offer of not more than one thousand cigarettes, five hundred dollars; and (b) for a distribution or offer of more than one thousand cigarettes, one thousand dollars or five times the retail value of the cigarettes involved in the violation, whichever is greater.