
SENATE BILL 5692

State of Washington 52nd Legislature 1991 Regular Session

By Senators L. Smith, Stratton and Pelz.

Read first time February 15, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to the restriction of advertisements of tobacco and
2 alcoholic products; adding a new chapter to Title 70 RCW; and
3 prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that previously
6 enacted laws prohibiting the use of tobacco and alcoholic products by
7 minors are being thwarted by the advertising of these products on
8 billboards, buses, cars, other motor vehicles, and placards. The
9 continuous exposure of children to these types of advertisement cannot
10 be avoided despite efforts by parents and teachers. This is
11 particularly appalling because of the present tendency to place these
12 types of advertisement in neighborhoods heavily populated by minority
13 youth. The legislature concludes that it is necessary to prohibit
14 outdoor advertisements of tobacco and alcoholic products in order to
15 protect children from messages encouraging them to engage in the

1 illegal use of alcohol and tobacco and counteracting state policy
2 discouraging them from tobacco and alcohol use.

3 NEW SECTION. **Sec. 2.** It is a gross misdemeanor for any person
4 to display on any billboard, streetcar, bus or other motor vehicle,
5 placard, or on any other object or place of display, any advertisement
6 of cigarettes, cigarette papers, cigars, chewing tobacco, smoking
7 tobacco, or alcohol, or any disguise or substitute, except that a
8 dealer in cigarettes, cigarette papers, tobacco, cigars, or alcohol, or
9 their substitutes, may have a sign on the front of his or her place of
10 business stating that she or he is a dealer in the articles. Nothing
11 in this section shall be construed to prohibit the advertising of
12 cigarettes, cigarette papers, chewing tobacco, smoking tobacco,
13 alcohol, or any substitute, in any newspaper, magazine, or periodical
14 printed or circulated in this state.

15 NEW SECTION. **Sec. 3.** In addition to the availability of any
16 other remedy or penalty of law, an individual may initiate a civil
17 action in superior court to enforce the provisions of this chapter.
18 Venue for such action shall be in the county where the violation is
19 alleged to have taken place. If the court finds that one or more
20 violations have occurred, the court shall award the prevailing party
21 its costs, including reasonable attorney's fees. The court may also
22 enjoin future violations and impose a civil penalty of up to one
23 thousand dollars for each violation.

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