

HOUSE BILL REPORT

HB 1549

As Reported by House Committee On:

Health Care

Title: An act relating to regulation of tobacco products under the access to minors statutes.

Brief Description: Limiting minors' access to tobacco.

Sponsors: Representatives Schual-Berke, Cody, Campbell, Conway, Schmidt, Fromhold, Kenney, Rockefeller, McIntire, Miloscia, Edwards, Hunt, Edmonds, O'Brien, Ogden, Kagi, Lovick, Darneille and Poulsen; by request of Governor Locke and Attorney General.

Brief History:

Committee Activity:

Health Care: 2/5/02, 2/7/02 [DPS].

Brief Summary of Substitute Bill

- Tobacco retailers cannot sell packages of cigarettes with less than 20 cigarettes, except in premises where minors are prohibited by law.
- Beginning January 1, 2002, self-service displays of tobacco products are prohibited and tobacco products sold within a store must be sold from behind counters or in locked displays. This does not pertain to retailers who sell tobacco products exclusively, or where minors are not allowed by statute.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Cody, Chair; Schual-Berke, Vice Chair; Campbell, Ranking Minority Member; Alexander, Conway, Darneille, Edwards and Ruderman.

Minority Report: Do not pass. Signed by 3 members: Representatives Ballasiotes, Benson and Skinner.

Staff: Dave Knutson (786-7146).

Background:

In 1993 the Legislature passed the Minors' Access to Tobacco Act to address the problem of increasing tobacco use by young people. This law: (1) requires retailers to prominently display their license to sell tobacco; (2) requires warning signs be posted at each point of purchase; (3) prohibits the sale of cigarettes not in the original unopened package with a tax stamp affixed; (4) requires retailers to check identification; (5) prohibits sending free tobacco products through the mail; (6) requires licensing of tobacco samplers and limits sampling locations; and (7) establishes penalties for selling or giving tobacco to a minor and for minors purchasing or attempting to purchase tobacco.

Current law does not prohibit the sale of packages of cigarettes containing less than 20 cigarettes and does not specify the location of where tobacco products must be sold from inside a retail store.

Summary of Substitute Bill:

All tobacco retailers are prohibited from selling packages of cigarettes which contain fewer than 20 cigarettes, except in premises where minors are prohibited by law.

Beginning January 1, 2002, self-service displays of tobacco products are prohibited. All tobacco products sold within a store must be sold from behind counters or in locked displays. This requirement does not pertain to retailers who sell tobacco products exclusively or primarily, or within premises where minors are not allowed by statute.

Substitute Bill Compared to Original Bill:

The Liquor Control Board is authorized to determine if a retailer relies exclusively or primarily on the sale of tobacco products.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Youth should not have easy access to tobacco products.

Testimony Against: The bill is not necessary as small business owners are voluntarily keeping tobacco products away from minors.

Testified: (Support) Mary Selecky, Department of Health; Dave Horn, Office of the Attorney General; Nick Federici, Lung Association; Sarah Sielott, Snohomish High

School student; and Veronica Lecocq and Scott Neal, Public Health Seattle and King County.

(Opposed) Dick Siegel.