

SENATE BILL REPORT

SB 5296

As Passed Senate, March 9, 2001

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

Brief Description: Limiting minors' access to tobacco.

Sponsors: Senators Thibaudeau, Oke, Franklin, Winsley, Costa and Gardner; by request of Governor Locke and Attorney General.

Brief History:

Committee Activity: Health & Long-Term Care: 1/31/01, 2/14/01 [DP].

Passed Senate: 3/9/01, 44-4.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Thibaudeau, Chair; Franklin, Vice Chair; Costa, Deccio, Fraser, Parlette and Winsley.

Staff: Rhoda Donkin (786-7198)

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.

Summary of 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 in-store tobacco products must be sold from behind counters or locked displays, except by retailers who sell tobacco products exclusively, or within premises where minors are not allowed by statute.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This will help limit tobacco access to teens who make up the largest group of beginning smokers.

Testimony Against: Small businesses will suffer from the financial burden of redesigning space to accommodate locked cabinets. There is no evidence these measures will curtail youth access to tobacco products.

Testified: PRO: Dave Horn, Attorney General's Office; Willa Fisher, MD, Bremerton Kitsap Co. Health Hospital; Katrina Jones, Bremerton Kitsap County Health Dept.; Scott Neal, Sara Rinehart, Lizzy Pachaud, Public Health, Seattle and King Co.; Barbara Desmond, Kitsap Coalition; Patty Hayes, DOH/Governor's Office; Cynthia Shurtleff, American Academy of Pediatrics; Nick Federici, WATCH/Lung Assn.; CON: Cody Benson, WA Assn. of Neighborhood Stores.