
HOUSE BILL 1549

State of Washington

57th Legislature

2001 Regular Session

By Representatives Schual-Berke, Cody, Campbell, Conway, D. 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

Read first time 01/29/2001. Referred to Committee on Health Care.

1 AN ACT Relating to regulation of tobacco products under the
2 access to minors statutes; and amending RCW 70.155.030 and
3 70.155.040.

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

5 **Sec. 1.** RCW 70.155.030 and 1994 c 202 s 1 are each amended to read
6 as follows:

7 (1) No person shall sell or permit to be sold any tobacco
8 product through any device that mechanically dispenses tobacco
9 products unless the device is located fully within premises from
10 which minors are prohibited or in industrial worksites where
11 minors are not employed and not less than ten feet from all
12 entrance or exit ways to and from each premise. The board shall
13 adopt rules that allow an exception to the requirement that a
14 device be located not less than ten feet from all entrance or exit
15 ways to and from a premise if it is architecturally impractical
16 for the device to be located not less than ten feet from all
17 entrance and exit ways.

18 (2) Except as provided in subsection (1) of this section,

1 beginning January 1, 2002, self-service displays of tobacco
2 products are prohibited. All in-store tobacco products must be sold
3 from behind the counter or from within locked display units. This
4 section does not apply to retailers who sell tobacco products
5 exclusively. Further, this section does not apply to sales from
6 within premises where minors are prohibited by statute.

7 **Sec. 2.** RCW 70.155.040 and 1993 c 507 s 5 are each amended to read
8 as follows:

9 (1) No person shall sell or permit to be sold cigarettes not in
10 the original unopened package or container to which the stamps
11 required by RCW 82.24.060 have been affixed.

12 (2) Packages of fewer than twenty cigarettes may be sold only
13 in premises where minors are prohibited by statute.

14 (3) This section does not apply to the sale of loose leaf
15 tobacco by a retail business that generates a minimum of sixty
16 percent of annual gross sales from the sale of tobacco products.

17 NEW SECTION. **Sec. 3.** If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 remainder of the act or the application of the provision to other
20 persons or circumstances is not affected.

--- END ---

