
Health Care Committee

ESB 5048

Brief Description: Prohibiting tobacco product sampling.

Sponsors: Senators Oke, Brown, Keiser, Swecker, Kline, Morton, Rockefeller, Deccio, Thibaudeau, Finkbeiner, McAuliffe, Sheldon, Rasmussen, Spanel, Berkey, Eide, Doumit, Regala, Kohl-Welles, Jacobsen, Franklin, Haugen, Fraser, Kastama and Weinstein.

Brief Summary of Engrossed Bill

- Prohibits the distribution of tobacco product samples.

Hearing Date: 2/21/06

Staff: Chris Blake (786-7392).

Background:

"Samplers" distribute tobacco products to the general public for promotional purposes at no cost or nominal cost. The term does not include retailers. The Washington State Liquor Control Board (Board) licenses samplers and requires annual license renewal.

State law prohibits sampling in public places except in places where: (1) individuals under the age of 18 are denied admission; (2) the sampling occurs in a store or concession that has a retailer's license; or (3) the sampling occurs at or next to a production, repair, or outdoor construction site or facility. These exceptions do not apply to the distribution of tobacco product samples within 500 feet of a playground, school, or other facility being used primarily by individuals under 18 years of age.

Summary of Bill:

The distribution of tobacco product samples is prohibited and a violation is declared a misdemeanor. The authority of the Board to operate a sampling licensing program is eliminated. The definition of "tobacco product" is revised to specify that it includes cigarettes, cigars, snuff, and other smoking tobacco and chewing tobacco products regulated by the Department of Revenue.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.