

HOUSE BILL REPORT

SB 5597

As Reported by House Committee On:

Health Care

Title: An act relating to protecting the health of minors by prohibiting tobacco product sampling.

Brief Description: Prohibiting tobacco product sampling.

Sponsors: Senators Oke, T. Sheldon, Swecker, Thibaudeau, Carlson, Shin, Winsley, Spanel, Kline, Regala, Haugen, Jacobsen, Poulsen, B. Sheldon, Stevens, Keiser, Kohl-Welles and Rasmussen.

Brief History:

Committee Activity:

Health Care: 3/25/03, 4/3/03 [DPA].

Brief Summary of Bill (As Amended by House Committee)

- Distribution of samples of tobacco products to members of the public is prohibited, except in certain over 21 only locations.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass as amended. Signed by 12 members: Representatives Cody, Chair; Morrell, Vice Chair; Pflug, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Alexander, Campbell, Clibborn, Darneille, Edwards, Moeller, Schual-Berke and Skinner.

Minority Report: Do not pass. Signed by 1 member: Representative Benson.

Staff: Dave Knutson (786-7146).

Background:

A marketing technique used by cigarette makers is the distribution of free samples. The business of sampling is regulated by the Liquor Control Board. Upon payment of an annual fee, a sampler may distribute tobacco samples in authorized areas. These areas

include: areas where children under the age of 18 are denied admission, in a store or concession to which a retailer's license has been issued, or at or adjacent to a production, repair, or outdoor construction site or facility. Samplers are prohibited from distributing samples within 500 feet of a playground, school, or other facility being used primarily by persons under 18 years of age.

Summary of Amended Bill:

Distribution of samples of tobacco products to members of the public is prohibited, except in certain over 21 locations. Various provisions of the laws regulating this practice are deleted or repealed.

Amended Bill Compared to Original Bill:

Tobacco sampling is prohibited, except in certain over 21 locations.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Tobacco sampling is a marketing strategy designed to attract and addict new smokers. It should be banned.

Testimony Against: None.

Testified: Senator Oke, prime sponsor; Maxine Hayes, Department of Health; Dave Horn, Office of the Attorney General; Paul Zemann, Public Health Seattle/King County; Sara Rinehart; Nick Federici, American Lung Association of Washington; Ivy Sager-Rosenthal, Washington Public Interest Research Group; Mike O'Sullivan, American Cancer Society; and David Hemion, Washington State Dental Association.