

2027-S

Sponsor(s): House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Kirby, Delvin, Morris, DeBolt and Sullivan)

Brief Description: Regulating the sale of cigarettes.

**HB 2027-S - DIGEST**

(DIGEST AS ENACTED)

Declares that it is unlawful for a person who mails, ships, or otherwise delivers cigarettes to fail to: (1) Verify the age of the receiver of the cigarettes upon delivery; and

(2) Obtain in writing, before the first delivery sale of cigarettes, verification of the receiver's address and that the receiver of the cigarettes is not a minor. The statement must also confirm that the purchaser understands: (a) That signing another person's name to the certification is a violation of RCW 9A.60.040(1)(a); (b) that the sale of cigarettes to a minor is a violation of RCW 26.28.080; (c) that the purchase of cigarettes by minors is a violation of RCW 70.155.080; and (d) that he or she has the option to receive mailings from a tobacco company about tobacco products.

Provides that any person other than a delivery service who violates any of the provisions of this act is guilty of a class C felony punishable by up to five years in prison and a fine of ten thousand dollars, and payment of the cost of investigation and prosecution, including attorneys' fees.

Provides that any person other than a delivery service who commits a second or subsequent violation of this act is guilty of a class B felony punishable by up to ten years in prison and a fine of twenty thousand dollars, and payment of the cost of investigation and prosecution, including attorneys' fees.

Provides that any delivery service that violates any provision of this act shall be guilty of a gross misdemeanor punishable by up to one year in jail and a fine of five thousand dollars.

Provides that any person that fails to collect or remit to the department of revenue any tax required under chapter 82.24 RCW in connection with a delivery sale shall be assessed, in addition to any other penalty, a penalty of five times the retail value of the cigarettes involved.