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## Commerce & Gaming Committee

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### HB 1946

**Brief Description:** Exempting pipe tobacco from the prohibition on shipping or transporting tobacco products ordered or purchased by mail or through the internet.

**Sponsors:** Representative Condotta.

#### Brief Summary of Bill

- Legalizes the shipping or transportation of pipe tobacco, purchased by mail or through the internet, to individuals whether or not they are licensed as a wholesaler or retailer.
- Revises the definition of "tobacco product" so as to exclude pipe tobacco.

**Hearing Date:** 2/9/17

**Staff:** Thamas Osborn (786-7129).

#### Background:

Under the statutes regulating access to tobacco by minors (chapter 70.155 RCW, the "Access to Minors Act"), the shipping or transportation of tobacco products purchased by mail or through the internet is prohibited if the intended recipient is anyone other than a licensed wholesaler or retailer. A person or entity that knowingly violates this prohibition is guilty of a class C felony.

The Access to Minors Act defines "tobacco product" to include products that contain tobacco and are intended for human use, except for specified exceptions. Pipe tobacco is not included in the exceptions to the definition and therefore constitute a tobacco product subject to the shipping and transportation prohibition.

#### Summary of Bill:

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The definition of "tobacco product" under the Access to Minors Act is revised so as to expressly exclude pipe tobacco. Accordingly, the shipping or transportation of pipe tobacco purchased by mail or through the internet to individuals other than wholesalers or retailers is not prohibited.

"Pipe tobacco" is defined as any tobacco which, because of its appearance, type, packaging, or labeling, is suitable for use and likely to be offered to, or purchased by, consumers as tobacco to be smoked in a pipe.

**Appropriation:** None.

**Fiscal Note:** Available.

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