

WHEREAS, While the passage of legislation providing for an ongoing ban on small packages of cigarettes is not a requirement of the tobacco settlement agreement, such a ban would have a very positive impact on discouraging youth access to cigarettes and would be in the best interest of the State; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Commercial Law

SUBTITLE 5A. CIGARETTE SALES OF LESS THAN 20 PER PACKAGE.

11-5A-01.

(A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "RETAILER" HAS THE MEANING STATED IN § 11-501(H) OF SUBTITLE 5 OF THIS ARTICLE.

(C) "SELL" HAS THE MEANING STATED IN § 11-501(J) OF THIS ARTICLE.

(D) "VENDING MACHINE OPERATOR" HAS THE MEANING STATED IN § 11-501(K) OF THIS ARTICLE.

(E) "WHOLESALER" HAS THE MEANING STATED IN § 11-501(M) OF THIS ARTICLE.

11-5A-02.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A RETAILER; OR VENDING MACHINE OPERATOR, OR WHOLESALER MAY NOT PURCHASE FROM A TOBACCO PRODUCT MANUFACTURER OR SELL, RESELL, DISTRIBUTE, DISPENSE, OR GIVE AWAY TO ANY PERSON A PACKAGE OF CIGARETTES CONTAINING LESS THAN 20 CIGARETTES.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A WHOLESALER MAY NOT SELL, RESELL, DISTRIBUTE, DISPENSE, OR GIVE AWAY TO ANY PERSON IN THIS STATE A PACKAGE OF CIGARETTES CONTAINING LESS THAN 20 CIGARETTES.

11-5A-03.

(A) THE STATE COMPTROLLER SHALL ENFORCE THIS SUBTITLE.

(B) THE STATE COMPTROLLER SHALL:

(1) EMPLOY AND DETERMINE THE DUTIES AND COMPENSATION OF THE INSPECTORS AND OTHER PERSONNEL NECESSARY TO ENFORCE THIS SUBTITLE; AND

(2) ADOPT REASONABLE REGULATIONS NECESSARY TO EFFECTUATE AND ENFORCE THE PROVISIONS OF THIS SUBTITLE.