

Chapter 141 of the Acts of the General Assembly of 2001 and Chapter 348 of the Acts of the General Assembly of 2004

Section 1 2.(j)(1)

BY repealing and reenacting, with amendments,

Chapter 169 of the Acts of the General Assembly of 1999

Section 1 2.(k)

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

**Chapter 169 of the Acts of 1999, as amended by Chapter 141 of the Acts of 2001 and Chapter 348 of the Acts of 2004**

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

2. (j) (1) "Tobacco product manufacturer" means an entity that, after the date of enactment of this Act, directly [and] (AND not exclusively through any [affiliate] AFFILIATE):

(i) manufacturers cigarettes anywhere that [the] SUCH manufacturer intends them to be sold in the United States, including cigarettes intended to be sold in the United States through an importer (except where such importer is an original participating manufacturer (as that term is defined in the Master Settlement Agreement) that will be responsible for the payments under the Master Settlement Agreement with respect to such cigarettes as a result of the provisions of subsection II(mm) of the Master Settlement Agreement and that pays the taxes specified in subsection II(z) of the Master Settlement Agreement, and provided that the manufacturer of [the] SUCH cigarettes does not market or advertise the cigarettes in the United States);

(ii) is the first purchaser anywhere for resale in the United States of cigarettes manufactured anywhere that the manufacturer does not intend to be sold in the United States; or

(iii) becomes a successor of an entity described in subparagraph (i) or (ii) of this paragraph or paragraph (2) of this subsection.

**Chapter 169 of the Acts of 1999**

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

2. Definitions.

(k) "Units sold" means the number of individual cigarettes:

(1) sold in the State by the applicable tobacco product manufacturer, whether directly or through a distributor, retailer, or similar intermediary or intermediaries, during the year in question; and