

~~(10) "TOBACCO PRODUCT" MEANS ANY SUBSTANCE CONTAINING TOBACCO, INCLUDING CIGARETTES, CIGARS, SMOKING TOBACCO, SNUFF, OR SMOKELESS TOBACCO.~~

~~(11) "TOBACCO SHOP" MEANS A RETAIL STORE UTILIZED PRIMARILY FOR THE SALE OF TOBACCO PRODUCTS AND TOBACCO PARAPHERNALIA AND IN WHICH THE SALE OF NONTOBACCO PRODUCTS IS MERELY INCIDENTAL.~~

~~(B) A PERSON ENGAGED IN THE BUSINESS OF SELLING OR OTHERWISE DISTRIBUTING TOBACCO PRODUCTS MAY NOT:~~

~~(1) DISTRIBUTE TO A MINOR TOBACCO PRODUCTS OR CIGARETTE ROLLING PAPERS;~~

~~(2) DISTRIBUTE TO AN INDIVIDUAL AT A PUBLIC PLACE OR AT A PUBLIC EVENT ANY TOBACCO PRODUCT WITHOUT CHARGE OR AT A CHARGE LESS THAN THE BASIC COST, EXCEPT FOR SINGLE SERVINGS OF TOBACCO PRODUCTS IN TOBACCO SHOPS OR TRADE SHOWS TO PERSONS WHO ARE NOT MINORS;~~

~~(3) DISTRIBUTE TO AN INDIVIDUAL COUPONS REDEEMABLE FOR TOBACCO PRODUCTS, EXCEPT FOR COUPONS CONTAINED IN NEWSPAPERS, MAGAZINES, OR OTHER TYPES OF PUBLICATIONS IN WHICH THE COUPONS ARE INCIDENTAL TO THE PRIMARY PURPOSE OF THE PUBLICATION, OR COUPONS SENT THROUGH THE MAIL;~~

~~(4) EXCEPT AS PERMITTED IN PARAGRAPH (2) OF THIS SUBSECTION, DISTRIBUTE TO AN INDIVIDUAL TOBACCO PRODUCTS OTHER THAN IN THE ORIGINAL SEALED PACKAGE OR BOX THAT BEARS ALL HEALTH WARNINGS REQUIRED BY FEDERAL AND STATE LAW.~~

~~(C) A MINOR MAY NOT:~~

~~(1) USE ANY FALSIFIED IDENTIFICATION, OR USE ANY IDENTIFICATION OTHER THAN HIS OR HER OWN, FOR THE PURPOSE OF OBTAINING OR ATTEMPTING TO OBTAIN TOBACCO PRODUCTS OR CIGARETTE ROLLING PAPERS; OR~~

~~(2) EXCEPT AS PROVIDED IN SECTION 405(D) OF THIS SUBHEADING, PURCHASE OR POSSESS TOBACCO PRODUCTS OR CIGARETTE ROLLING PAPERS.~~

~~(D) THE EXECUTIVE DEPARTMENT SHALL ESTABLISH A PROGRAM TO CONDUCT ANNUAL, RANDOM, AND TARGETED UNANNOUNCED INSPECTIONS OF TOBACCO OUTLETS, AS REQUIRED IN PART 96, SECTION 96.112(F)(8), TITLE 45, CODE OF FEDERAL REGULATIONS, AS AMENDED AUGUST 29, 1993.~~

~~405.~~

~~[(a) Except as provided in subsection (b) of this section, any person or persons or body corporate being a manufacturer, dealer, vendor as aforesaid, or any other person or persons or body corporate violating the provisions of § 404 of this article, shall, upon conviction thereof in any court of competent jurisdiction, be fined in a sum of not more than one hundred dollars for each and every offense.]~~

~~(A) (1) A PERSON WHO VIOLATES § 404(B) OF THIS ARTICLE SHALL BE:~~