

CHAPTER 247

(Senate Bill 271)

AN ACT concerning

Tobacco Products - Vending Machines - Access by Minors

FOR the purpose of prohibiting the sale or dispensing of a tobacco product by means of a vending machine; establishing certain exceptions; establishing a certain penalty; repealing a certain exemption from certain penalties for sales of tobacco products to minors for owners of and other persons exercising control over tobacco product vending machines; defining certain terms; ~~providing for a delayed effective date~~ making this Act contingent on the failure of certain legislation; and generally relating to tobacco product vending machines and access to tobacco product vending machines by minors.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments

Section 405

Annotated Code of Maryland

(1996 Replacement Volume and 1999 Supplement)

BY adding to

Article - Business Regulation

Section 16-3A-01 through 16-3A-03, inclusive, to be under the new subtitle
"Subtitle 3A. ~~Placement of~~ Tobacco Product Vending Machines"

Annotated Code of Maryland

(1998 Replacement Volume and 1999 Supplement)

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

Article 27 - Crimes and Punishments

405.

(a) [Except as provided in subsection (b) of this section, a] A person who violates § 404(b) of this subheading shall be subject to:

(1) For a first violation, a fine of not more than \$300;

(2) For a second violation occurring within a 2-year period of the first violation, a fine of not more than \$1,000; and

(3) For a third or subsequent violation occurring within a 2-year period of the prior violation, a fine of not more than \$3,000.

[(b) If the requirements of § 16-209(b)(2)(ii) of the Business Regulation Article are satisfied, the provisions of subsection (a) of this section do not apply to the owner